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COMEDY AND THE RISE OF ROME

MATTHEW LEIGH

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MATTHEW LEIGH

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PREFACE

I owe my initial interest in Plautus and Terence to the benevolent coercion of my former colleagues at the University of Exeter and to the peculiarly stimulating students—Sally Jaine, Eileen Tapsell, and Larry Shenfield—with whom I shared my first classes on the subject.

A number of colleagues have aided me in the further development of this project. I am particularly grateful to Peter Brown who read initial drafts of every chapter and who encouraged me throughout. John Wilkins, Llewelyn Morgan, Roger Crisp, Paul Strohm, Tobias Reinhardt, and Flavio Raviola read and commented on initial drafts of various chapters. The anonymous readers for OUP offered much wise advice and chastised me for my neglect of Anglo-American scholarship. Hilary O'Shea and her colleagues at the Press have been most supportive throughout.

My work on Plautus and Hannibal was first presented at the September 2000 memorial conference for my former supervisor, Don Fowler, and I wish here to acknowledge the inspiration which I drew from Don as a teacher and the delight which I take in the recollection of his life. Other chapters were first aired in lectures to the Roman Society and the Department of Classics at UCLA.

Since October 1997 I have been privileged to work in the Classics School of St Anne's College, Oxford. Roger Crisp, Margaret Howatson, Peta Fowler, Ed Bispham, and Adrian Kelly are the best of colleagues and our students remarkable for their talent and dedication. This work would not, however, have been completed but for the partial or complete release from my professional responsibilities which I have enjoyed in the academic years 2001–3. This was facilitated by the award of a Philip Leverhulme Prize for which I offer the Leverhulme Foundation my sincere thanks. I wish also to acknowledge the Dipartimento dell Scienze dell'Antichità of the University of Padua for the refuge which it offered me for the year 2002–3 and for the friendship which Emilio Pianezzola and his colleagues have repeatedly shown me over the years.

I have lived in interesting times of late and wish to acknowledge my debt to all those who have come through them with me, in particular my parents, Pat Britton, Victoria Kwee, Michael Hall, and Ulrike

Tschugguel. To the person who has made those times so interesting and so sweet, this book is dedicated.

M. L.

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LIST OF ABBREVIATIONS

The works of Plautus are cited in accordance with the 1895 Berlin edition of F. Leo. The works of Terence, certain matters of orthography apart, are cited in accordance with the 1926 Oxford edition of R. Kauer and W. M. Lindsay. References to Greek and Latin authors and their works follow the abbreviations employed in *TLL* and *LSJ*.

<i>AJPh</i>	<i>American Journal of Philology</i>
<i>BICS</i>	<i>Bulletin of the Institute of Classical Studies</i>
<i>C&M</i>	<i>Classica et Mediaevalia</i>
<i>CIL</i>	<i>Corpus Inscriptionum Latinarum</i> (Berlin, 1863–).
<i>CISA</i>	<i>Contributi dell' Istituto di Storia Antica dell' Università del Sacro Cuore di Milano</i>
<i>ClAnt</i>	<i>Classical Antiquity</i>
<i>CPh</i>	<i>Classical Philology</i>
<i>CQ</i>	<i>Classical Quarterly</i>
<i>CSCA</i>	<i>California Studies in Classical Antiquity</i>
<i>CW</i>	<i>The Classical World</i>
<i>EV</i>	<i>Enciclopedia Virgiliana</i> (Rome, 1984–90).
<i>GLK</i>	<i>Grammatici Latini</i> , ed. H. Keil (Leipzig, 1855–80).
<i>G&R</i>	<i>Greece and Rome</i>
<i>HSPH</i>	<i>Harvard Studies in Classical Philology</i>
<i>IF</i>	<i>Indogermanische Forschungen</i>
<i>ILLRP</i>	<i>Inscriptiones Latinae Liberae Rei Publicae</i> , ed. A. Degrassi (Florence, 1963–5).
<i>JHS</i>	<i>Journal of Hellenic Studies</i>
<i>JRS</i>	<i>Journal of Roman Studies</i>
<i>K-A</i>	<i>Poetae Comici Graeci</i> , ed. R. Kassel and C. Austin (Berlin and New York, 1983–)
<i>LEC</i>	<i>Les Études Classiques</i>
<i>LSJ</i>	<i>Greek–English Lexicon</i> , ed. H. G. Liddell, R. Scott, and H. S. Jones, 9th edn. (Oxford, 1940)
<i>MH</i>	<i>Museum Helveticum</i>
<i>NJPhP</i>	<i>Neue Jahrbücher für Philologie und Pädagogik</i>
<i>OLD</i>	<i>Oxford Latin Dictionary</i> , ed. P. G. W. Glare (Oxford, 1982)

<i>ORF</i> ³	<i>Oratorum Romanorum Fragmenta</i> , 3rd. ed., ed. E. Malcovati (Turin, 1967)
Pauly <i>RE</i>	<i>Real-Encyclopädie der klassischen Altertumswissenschaft</i> , ed. A. Pauly, G. Wissowa, W. Kroll (Stuttgart, 1894–1972).
<i>PVS</i>	<i>Proceedings of the Virgil Society</i>
<i>QUCC</i>	<i>Quaderni Urbinati di Cultura Classica</i>
<i>REL</i>	<i>Revue des Études Latines</i>
<i>RFIC</i>	<i>Rivista di Filologia e Istruzione Classica</i>
<i>RhM</i>	<i>Rheinisches Museum</i>
<i>RIL</i>	<i>Rendiconti dell' Istituto Lombardo, Classe di Lettere, Scienze Morali e Storiche</i>
<i>SDHI</i>	<i>Studia et Documenta Historiae et Iuris</i>
<i>SHAW</i>	<i>Sitzungsberichte der Heidelberger Akademie der Wissenschaften, Philosophische-Historische Klasse</i>
<i>TAPhA</i>	<i>Transactions and Proceedings of the American Philological Association</i>
<i>TLL</i>	<i>Thesaurus Linguae Latinae</i> (Leipzig, 1900–)

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Introduction

The aim which I have set myself in composing this study has been to investigate the comedies of Plautus and Terence in the light of Roman history and Roman history in the light of Plautus and Terence. To this end, rather than treat history as a context by which to explain comedy or comedy as a source to be mined for information about history, I have attempted to keep the two in constant dialogue with each other. The most obvious way in which this approach manifests itself in the four chapters which follow is in the tendency of the argument to develop through a succession of subsections in which the perspective passes constantly between comedy and history, history and comedy. I trust that my reader will not find this procedure unduly disconcerting.

The crucial phenomenon of the age of Plautus and Terence is the rise of Rome from regional power to effective master of the Mediterranean world. If the career of the former coincides first with the great crisis of the Second Punic War and the Hannibalic invasion of Italy, then with the first stages of Roman expansion into Greece and Asia Minor, that of the latter is located in the years immediately after the Battle of Pydna and the Roman conquest of Macedon. Two features therefore predominate in all that I have written: the fundamentally military culture of Rome and the economic and social transformation of the city consequent on the acquisition of empire. If the title which I have chosen for this work suggests to some an enthusiastic complicity with this process, they will be mistaken. For I have no affection for imperialism and have found the comic texts studied most eloquent, not in their celebration of the process of national expansion, but rather in their evocation of the necessary negotiations attendant on rapid political and economic change and in the expression given to perspectives which assimilate uneasily to those propounded by the senate and the Roman ruling class.

It would be fatuous to pretend that this is the first study to attempt to think historically about Roman comedy. Indeed the last chapter of this book engages directly with some of the most intriguing past attempts

to do so and analyses the reasons why the approach has failed to take hold. It is, however, the case that the dominant trends of Plautine and Terentian criticism, whether the analytical criticism of the schools of Lefèvre and Zwierlein or the metatheatrical and formalist approaches of American critics, consider Roman comedy as a literary or at best theatrical artefact. I have indeed learnt much from all such perspectives and have engaged with the conclusions drawn where they have a significant bearing on my argument; I hope nevertheless that one consequence of this study will be to suggest that it is possible, and timely, to ask rather different questions of our texts. To this end, the pages which follow set out in greater detail some of what is at issue in this study and confront certain fundamental problems of evidence and method.

The *Comoedia Palliata* and Rome

Plautus and Terence wrote for the theatrical games (*ludi scaenici*) which took a central role in the rapidly expanding festive calendar of the mid-Republican Roman state. Further opportunity for such performances could be provided by the funeral, triumphal, and dedicatory games so common in this period.¹ All such events make spectacle out of the transformation of the Roman state, the expansion of its horizons, and the consequences which this entails. Modern scholarship may contest claims of a determined plan of overseas conquest; but the festive absorption of alien cult and culture is the obverse of Rome's perception of itself as a Mediterranean and not simply an Italian power.²

The best evidence for the festive culture of this period is provided by books 21–45 of Livy and much may be learnt from the historian's account of the institution of two new sets of games. The first of these is the *Ludi Apollinares* first held at the height of the Hannibalic crisis in 212 BC; the inspiration behind them is said to be perusal of the prophetic verse of the native seer (*vates*) Marcius, but his most striking stipulation is that sacrifice should be conducted according to Greek procedure (*Graeco ritu*).³ The second is the *Ludi Megalenses* or *Megalesia*.⁴ These first involved theatrical performance either in 194 or 191 BC

¹ For the festive calendar and the *ludi scaenici*, see esp. Taylor (1937); Gruen (1992) 183–222; Goldberg (1998). Gruen offers a particularly valuable account of the political dynamics of theatrical performance in this period.

² Gruen (1990) 10, 33.

³ Liv. 25. 12. 1–16.

⁴ Gruen (1990) 5–33 is fundamental but not impeccable. Burton (1996) offers some valid criticisms.

and it was at this event in 191 BC that the temple to the Magna Mater was dedicated and the *Pseudolus* of Plautus first performed.⁵ Yet the Megalesia were first held in 204 BC, ten years before they took on a theatrical aspect, and their inception followed a similar pattern to that of the Ludi Apollinares: recurrent showers of stones prompt inspection of the Sibylline books; this leads to consultation of the oracle at Delphi; and the final cure proposed is the transportation of the stone of Pessinus, the symbol of the Magna Mater, from Asia Minor to Rome.⁶ What is perhaps most significant in all this, however, is the necessary diplomatic engagement with Attalus of Pergamum,⁷ a large part of which must have turned on the Trojan origins of Rome and their consequent kinship with the region over which Attalus ruled.⁸ In later years the priests of Cybele would play an important role in securing the good-will of Roman forces operative in the region.⁹

Both the Ludi Apollinares and the Megalesia are represented as religious observances undertaken in order to secure the well-being of the Roman state and, in particular, the expulsion of a foreign foe in the form of Hannibal. Yet by their conscious institutionalization of foreign cults or ceremonies they also ensure that the Rome which emerges at the end of the Second Punic War will never be quite the same again.¹⁰ It was suggested above that the comic authors who wrote for these festivals evoke some of this cultural transformation. Yet—inasmuch as the works which they present are translations or adaptations of the masterpieces of the Athenian stage—they are themselves profoundly implicated in and indeed at the forefront of the process. Plautus may allude to or exploit more traditional forms such as Atellane farce or mime; he is not content simply to write in them.¹¹

As important as the overall Hellenizing character of the theatrical festival is the selectivity of its engagement with Greek culture, and

⁵ Liv. 34. 54. 3 cf. 36. 36. 1–7. For the *Pseudolus*, see the didascalia to the play.

⁶ Liv. 29. 10. 4–8. The claim of Gruen (1990) 16–18 that the stone originated on Mt Ida attributes undue evidentiary value to the narrative in Ov. *fast.* 4. For a defence of Pessinus as the origin of the stone, see Burton (1996) 42–58.

⁷ Liv. 29. 11. 5–8. Gruen (1990) 17–18 and Burton (1996) 43–4 discuss the possibility that Varr. *ling.* 6. 15 represents an alternative version of the role of Attalus but neither notes the profound textual problems identified by Riganti (1978) ad loc. For detailed discussion of this problem, see Leigh (forthcoming).

⁸ Hdn. 1. 11. 3; Gruen (1990) 5–33, esp. 15–19, and (1992) 47–8.

⁹ Plb. 21. 37. 4–7; Liv. 37. 9. 9–10, 38. 18. 9–10; D.S. 36. 13. I am not convinced by the interpretation of some of these episodes in Gruen (1990) 17 n. 16.

¹⁰ For the strikingly alien character of the cult of Cybele, see Gruen (1990) 5 n. 1, 20 n. 74.

¹¹ For allusions to the stock types of Atellane farce, see Plaut. *Bacch.* 1087, *Rud.* 535–6.

this is particularly true of the authors of the *comoedia palliata* (Roman comedy in Greek dress). For, while Roman audiences in the same period were accustomed to attending tragedies avowedly based on those of the great fifth century dramatists Aeschylus, Sophocles, and Euripides, in comedy the model set by Aristophanes, Eupolis, and Cratinus is eschewed in favour of that provided by the fourth- and third-century writers of what is known as New Comedy, most notably Menander, Diphilus, Philemon, Posidippus, Alexis, and Apollodorus. This is a significant decision and one which requires investigation both in and of itself and for the methodological problems which it entails for a project of this sort.

The form embraced by the Roman comedians creates from the start two significant barriers to historical interpretation. First, the Greek New Comedy on which it is based is characterized by its concern for specifically social and domestic concerns and, with certain notable exceptions, eschews the direct political commentary which characterizes the work of Aristophanes and his peers.¹² To the extent that this new approach represents a necessary response to changed historical conditions, it is itself pregnant with political meaning.¹³ Yet it also does violence to the works under consideration to demand that they function exactly like those of Aristophanes or to insist that their every familial crisis, rape plot, and servile ruse contains a covert allusion to specific contemporary events.¹⁴

¹² For continuation of the personalized attacks on politicians in New Comedy, see Philippiid. fr. 25 K-A = Plu. *Dem.* 12. 6–7, 26. 5, fr. 26 K-A = Plu. *Mor.* 750 E–F; Arched. fr. 4 K-A = Plb. 12. 4. 7 with Walbank (1967) ad loc.; Philem. test 9 K-A and fr. 132 K-A = Plu. *Mor.* 458A

¹³ Note Men. test. 155 K-A = Platon. diff. com. (Proleg. de com. I) 57 p. 5 Kost. for the claim that the change from comic masks designed as accurately as possible to evoke the features of the contemporary Athenian being mocked to the standardized types and stock roles of New Comedy is due to fear of the city's new Macedonian overlords (*δεδοικότες τοὺς Μακεδόνας καὶ τοὺς ἐπηρεττημένους ἐξ ἐκείνων φόβους*).

¹⁴ The standard periodization of Greek comedy distinguishes between the Old, Middle, and New. In this context, however, it is intriguing to note the alternative division represented by Men. test. 149a K-A = Tzet. diff. poet. (Proleg. de com. XXI^a) 78 p. 87 Kost. cf. test. 149b K-A = Tzet. prooem. I (Proleg. de com. XI^a 1) 78 p. 26 Kost. where the earliest mode of comedy is associated with the open mockery of Susarion of Megara, the second with the more veiled mockery of Aristophanes, Eupolis, and Cratinus, while the third, that of Menander, permits only disguised attack or symbolic comedy except against slaves, foreigners, and barbarians. To this catalogue of soft targets might be added the figure of the philosopher. Among the many examples of this, see Eub. fr. 137 K-A = Ath. 113 F; Alex. *Olymp.* fr. 163 K-A and *Par.* fr. 185 K-A = D.L. 3. 28; Antiph. *Koryk.* fr. 132 K-A = Ath. 366 B–C; Philem. *Phil.* fr. 88 K-A = Clem. Al. *Strom.* 2. 121. 2.

The second problem lies in the process of adaptation. For both Plautus and Terence maintain the specifically Greek setting of their dramas and a consciously depoliticized and domestic form is thus held one step further back from any direct comment on specifically Roman society or politics by the fact that it is played out in the land of its original authors. This is most importantly so in the case of Terence whose restrained and naturalistic drama restricts all reference to the process of adaptation to the prologue and avoids the tendency of Plautus overtly to revel in the hybridity of the form and to play with the boundaries which divide Greece and Rome: allusions to Roman topography, institutions, and ritual in a Greek play;¹⁵ knowing allusions to Romans as barbarians and Latin as a barbarian tongue;¹⁶ an extravagantly Hellenized Latin vocabulary;¹⁷ characters deliberately acting Greek or even talking in Greek itself.¹⁸ Yet even in Plautus the modern analytical critic will often find much to identify as entirely Attic and suggest in consequence that a given phrase, motif, or scene has nothing to do

¹⁵ For topography, see esp. Plaut. *Cure.* 462–86 with Moore (1991) cf. *Capt.* 90, 489, 882–4 and *Bacch.* 12; for institutions, see e.g. Plaut. *Capt.* 823 and Fraenkel (1960) 126–7 for the aedilician edict, *Persa* 159–60 cf. *Poen.* 1011–12 for the role of the aediles in organizing the games, *Asin.* 269, *Bacch.* 1068–75, *Pseud.* 1051 for the triumph; for ritual, see Plaut. *Cure.* 268–9 cf. *Trin.* 83–7 and Capitoline Jove. Hough (1940) 194–7 and n. 20 lists 84 separate allusions of this sort in Plautus. For the strong suggestion that Plautus does what Naevius did before him, see e.g. Naev. *com.* 21 = Macr. *Sat.* 3. 18. 6 referring to ‘Praenestini et Lanuvini hospites’. Beare (1964) 26–9 brings out the richly Roman and Italian element in the Naevian *palliata* and offers a sympathetic discussion of what the *Tarentilla* (*com.* 72–93) might have meant to a Roman audience.

¹⁶ Plaut. *Bacch.* 123, *Capt.* 884, *Mil.* 211, *Most.* 828, *Poen.* 598 all use ‘barbarus’ or its cognates in contexts which suggest that the barbarian in question is Roman or Italian. Plaut. *Asin.* 11, *Trin.* 19 refer to Plautus translating the Greek original into ‘barbarian’. For Romans perceived by Greeks as barbarians and their common language as a source of unity amongst the latter, see Plb. 5. 104. 1, 9. 37. 6, 11. 5. 6–8, 18. 22. 8; Cato *ad fil.* fr. 1 J = Plin. *nat.* 29. 14; Liv. 31. 29. 15 cf. 31. 30. 4, 34. 24. 3–4.

¹⁷ For the readiness of Plautus to introduce Greek loan-words even where the equivalent term did not stand in the Attic original, see Leo (1912) 103. See also the contrast between this aspect of Plautine style and the more reserved procedures of Terence in Hough (1934) and (1947–8); Shipp (1960) 52–3.

¹⁸ For acting Greek associated with dissipation, see the uses of *pergraeacari* and *congraeacare* at Plaut. *Bacch.* 743, 813, *Most.* 22, 64, *Poen.* 603, *Truc.* 87. The tendency of characters to talk in Greek is attributed by Leo (1912) 106–7 to Plautine mirroring of Roman life, most notably the speech of characters of low social status. However, what Hough (1934) 348–9 finds for Greek loan-words—that they are often used to put on airs and are particularly concentrated in lines describing feasting and female luxury—has a bearing on the use of straight Greek too. For instances where the use of Greek corresponds to the self-conscious refinement of the speaker, see Plaut. *Cas.* 728–31 cf. *Most.* 41 with Leo’s emendation ‘caeno κοπρῶν commixte’. See also Plaut. *Bacch.* 1162 where the *vai γάρ* Philoxenus is perfect for a character who suddenly feels himself coming over all ‘Greek’.

with mid-Republican Rome. It is not necessary to think in exclusively political terms or to invoke the notion of plausible deniability in order to suggest that the comic poets often had much at stake in allowing this view to take hold.

Rome in the Mirror

If the *comoedia palliata* really did have nothing to say about Rome, Cicero at least seems to have missed the point. In his speech in defence of the young Roscius of Ameria, he finds himself representing a son accused of murdering his father out of indignation at his dishonourable relegation to the family estate while his favoured older brother is allowed to enjoy the life of the city. The construction of comic plots around the contrasting lives of different pairs of brothers is as old as Aristophanes,¹⁹ and is also familiar from the works of Alexis.²⁰ In New Comedy it is most familiar from the reworking of the Menandrian *Adelphoi B* in the *Adelphoe* of Terence and this drama is analysed in detail in Chapter 4 of this study. Cicero, therefore, appeals precisely to the model of comedy in order to underpin his construction of the relationship of the father to his sons, and chooses as his point of reference a play by the great intermediary between Plautus and Terence, Caecilius Statius.²¹ And what is most significant here is the way in which the orator can claim without any sign of embarrassment that the characters of this drama are interchangeable with the actual inhabitants of Rome and Italy, that the Caecilian Eutychus and his life out in the Attic countryside are effectively identical with any youth living out in the fields of Veii:

si tibi fortuna non dedit ut patre certo nascerere ex quo intellegere posses qui animus patrius in liberos esset, at natura certe dedit ut humanitatis non parum

¹⁹ Ar. *Dait.* test. 6 K-A = Ar. *Nu.* 528–36 and Schol. Ar. *Nu.* 529a suggests that the *Daitaleis* featured a virtuous youth (σώφρων μενράκιον) and his dissolute (ἀχρηστον) counterpart.

²⁰ Alex. *Kour.* fr. 113 K-A = Ath. 443D–E: ὁ μὲν οὖν ἐμὸς νιός οἷον ὑμεῖς ἀρτίως | εἶδετε, τοιοῦτος γέγονεν, Οἰνοπίων τις ἢ | Μάρων τις ἢ Κάπηλος ἢ (καὶ) Τιμοκλῆς· | μεθύει γάρ, οὐδὲν ἕτερον. ὁ δ' ἕτερος – τί ἂν | τύχοιμ' ὀνομάσας; βῶλος, ἄροτρον, γηγενής | ἀνθρωπος. The thematic continuity is noted at Wehrli (1936) 49.

²¹ For the probable identification of the Caecilian drama in question with the work variously known as *Hypobolimaesus* sive *Subditivus*, *Hypobolimaesus Chaerestratus*, and *Hypobolimaesus Rastraria*, see the introduction of Ribbeck (1898) to Caecil. *com.* 75–91 cf. Landgraf (1914) at Cic. *S. Rosc.* 46. For the Attic Ὑποβολιμαῖος ἢ Ἀγροικός, see Men. *fr.* 372–87 K-A.

haberes; eo accessit studium doctrinae ut ne a litteris quidem alienus esses. ecquid tandem tibi videtur, ut ad fabulas veniamus, senex ille Caecilianus minoris facere Eutychem, filium rusticum, quam illum alterum, Chaerestratum?—nam, ut opinor, hoc nomine est—alterum in urbe secum honoris causa habere, alterum rus supplicii causa relegasse? ‘quid ad istas ineptias abis?’ inquires. quasi vero mihi difficile sit quamvis multos nominatim proferre, ne longius abeam, vel tribulis vel vicinis meos qui suos liberos quos plurimi faciunt agricolas adsiduos esse cupiunt. verum homines notos sumere odiosum est, cum et illud incertum sit velintne ei sese nominari, et nemo vobis magis notus futurus sit quam est hic Eutyclus, et certe ad rem nihil intersit utrum hunc ego comicum adulescentem an aliquem ex agro Veientini nominem. etenim haec conficta arbitror esse a poetis ut effectos nostros mores in alienis personis expressamque imaginem vitae cotidianae videremus.

If fortune did not allow you to be born of any definite father from whom you might understand what a paternal attitude to children was, yet nature certainly granted that you should not be short on refinement: your zeal for learning reached such a point that you were not even a stranger to literature. To turn then to the theatre, does that old man of Caecilius seem to you in any way to value Eutyclus, his rustic son, less than that other one, Chaerestratus? (for that, as I think, is his name) or to keep the one with him in the city as an honour and to have exiled the other to the country as a punishment? ‘Why are you resorting to these follies?’ you will say. As if it would indeed be difficult for me to cite by name any number, not to go too far off, of my own tribesmen or neighbours who wish their sons, whom they esteem most highly, to be regular farmers. But it is loathsome to drag in men one knows when it is yet uncertain whether or not they wish themselves to be named, and nobody is going to be more familiar to you than this Eutyclus, and it would surely make no difference to the case whether I named this young man of comedy or someone from the fields of Veii. For I consider these things to have been invented by the poets so that we might see our own ways represented in the characters of others and thus a carefully fashioned image of our daily life.²²

This is surely an important claim and its implications worthy of further consideration.

It was noted above that it was the particular propensity of Plautus to undermine any naturalistic representation of Attic life by shamelessly jarring references to the differences between Greeks and Romans or to specifically Roman or Italian places and institutions. These are the most obviously Plautine elements in Plautus though the great study of Fraenkel elicits far more than just these.²³ The second chapter of this

²² Cic. *S. Rosc.* 46–7.

²³ Fraenkel (1960).

study therefore takes as its starting point an area where Fraenkel demonstrates a specifically Plautine intervention in the Greek originals of his work: the elaboration of the slave as hero and his self-representation as a decidedly Roman general. Yet what Cicero seems to suggest is rather different. The closing claim that comic poets present us with an image of ourselves and of our daily life in the characters seen on the stage is one to which he returns in further descriptions of comedy.²⁴ These in turn may recall the famous praises lavished by Aristophanes of Byzantium on the naturalistic mode of Menander.²⁵ The crucial difference is that Menandrian naturalism has as its end the theatrical representation of the life of the poet's own society; Cicero, by contrast, for all that the Caecilian *palliata* continues to give its plays a specifically Attic setting, nevertheless finds in them a mirror of Roman life.²⁶

What Cicero's remarks betray is a reading strategy which maps the conventional oppositions played out in Greek New Comedy onto specifically Roman coordinates. And, inasmuch as this is a *reading* strategy, it is one which may be extended not only to those plays which go out of their way to draw explicit attention to such a possibility but also to others which aspire to the most perfectly faithful translation of their original. In the instance which Cicero considers, what is at issue is the contrast between the life of the town and that of the country and this in turn will be a prominent consideration in both Chapters 4 and 5. Essential to the argument in both these cases will be the Roman response to the Attic association of the city with indolence and luxury and of the country with self-denial and toil. In particular, attention will be drawn to the contemporary representation of the rustic life as the foundation of traditional Roman culture and the indictment of the city as the fount of new ways which are both luxurious and fundamen-

²⁴ Cic. *Hort.* fr. 10 Grilli = Don. *de com.* 5. 1: 'comoediam esse Cicero ait imitationem vitae, speculum consuetudinis, imaginem veritatis'. See also Don. *de com.* 5. 5 apparently also quoting Cicero: 'aitque esse comoediam cotidianae vitae speculum, nec iniuria. nam ut intenti speculo veritatis liniamenta facile per imaginem colligimus, ita lectione comoediae imitationem vitae consuetudinisque non aegerrime animadvertimus.'

²⁵ Men. test. 83 K-A = Syrian. in Hermog. *Π. στάς.* 1 (p. 29, 18 R.), ii. 22, 25 R.: ὁ Μένανδρε καὶ βίε | πότερος ἄρ' ὑμῶν πότερον ἀπειμιμήσατο: For similar verdicts cf. Men. test. 94 K-A = Manil. 5. 476 describing the comic poet as 'qui vitae ostendit vitam'; Men. test. 101 K-A = Quint. *inst.* 10. 1. 69 stating that Menander 'omnem vitae imaginem expressit'.

²⁶ The playwright to whom Cicero refers, Caecilius Statius, has often been treated as a partial forerunner of the naturalistic mode of Terence and it might serve the orator's case were that true. For a survey of such claims but also vigorous arguments against their validity, see Wright (1974) 87-126.

tally Hellenic. The Plautine response to this is to set a play in Athens, then have the rustic slave indict his spendthrift urban counterpart for Greeking it up; the urban wag responds by speaking to him in Greek.²⁷ Terence does none of this. Yet not even his care to preserve the smooth surface of post-Menandrian naturalism has spared the *Adelphoe* from interpretation as an image of Roman life and this tradition appears again to be as old as Cicero.²⁸

The perception of the world of the *palliata* as fundamentally foreign is often bound up with the notion that some of what it presents would be deemed impossibly scandalous if placed in a Roman setting. Crucial to this approach is the statement of Donatus that the slaves of the *palliata* are allowed to be represented as cleverer than their masters but that generally (*fere*) this is forbidden in the *togata*.²⁹ Now the fact that this is said to be only generally the case should warn against the assertion of any absolute rules.³⁰ But, more importantly, the very notion of a form of New Comedy set in Rome or Italy must also offer some potential objective correlative for the subjective reading strategy described above for the *palliata*. And this is indeed the case.

The three authors of the *comedia togata* substantial remains of whose work have been preserved are Titinius, Afranius, and Atta. There is no firm evidence to date the first,³¹ but the statement by Afranius that he has imitated both Menander and his Latin counterpart, that is, Terence, places him most probably in the mid- to late second century,³² and Jerome's attribution of the death of Atta to 77 BC probably puts him even later still.³³ The further implication of Afranius' avowed debt to Terence and Menander, that plays from Greek New Comedy

²⁷ See pp. 101–5.

²⁸ This at least would be the implication of Cic. *Cato* 65 where Cato the Elder refers to the *Adelphoe* and greatly prefers the 'comitas' of Micio to the 'duritas' or 'dirtas' (see Powell (1988) ad loc. for the text) of Demea. The sly joke is that Cato is appalled by the very character whom readers have regularly associated with his own ways.

²⁹ Don. at Ter. *Eun.* 57: 'concessum est in palliata poetis comicis servos dominis sapientiores fingere, quod idem in togata non fere licet.'

³⁰ Afran. *com.* 189–91 = Non. p. 409 L certainly suggests the attempts of son and slave to deceive the father. See also Afran. *com.* 251 = Non. p. 823 L.

³¹ Fuss's emendation of Lyd. *Mag.* 1. 40 τό τετίνιος to τότε Τιτίνιος would place the comic poet as early as 219 BC but there is nothing else to support such a date. Daviault (1981) 31–4 is more sympathetic to the notion than Guardi (1985) 18–19.

³² Afran. *com.* 25–8 = Macr. *Sat.* 6. 1. 4 cf. *com.* 29 = Suet. *vita Ter.* fr. 5 Rostagni. It is significant that this claim is made in the prologue to a play the title of which *Compitalia* suggests a specifically Roman festival. For Afranius and Menander, see also Cic. *fin.* 1. 7 cf. Hor. *epist.* 2. 1. 57.

³³ Suet. *vita Att.* fr. 1 Rostagni = Hier. *chron.* ad Ol. 175. 4.

and the *palliata* could be adapted for the purposes of the *togata*, is also significant. What, however, is perhaps most valuable for the purposes of this argument is the tendency of the *togata* explicitly to represent as Hellenizing or as Greek ways which the Terentian *palliata* treats simply as urban, and by extension to find locations for the rigorously self-denying lives which Terence associates with the fields of Attica which may stand in dialectical or symbolic opposition to Rome.

An important characteristic of the *togata* is its tendency to locate its action not in Rome but in the smaller local centres of Roman Italy.³⁴ One striking implication of this is that the process of Hellenization has gathered pace and is no longer simply to be associated with the metropolis.³⁵ And it is in this context that the intriguingly titled *Lyre-player* or *Girl from Ferentinum* can present the statement that the people of Ferentinum are zealous for Greek ways.³⁶ The double title recorded for the work may indeed suggest that one example of such Greek ways is the enthusiasm for the lyre-player's art.³⁷ Other fragments of the drama might add devotion to the *convivium* and to dining.³⁸ In a separate fragment of unattested source, a character sporting perfume is said to bear the scent of the gardens of that most Greek and luxurious of cities, Tarentum.³⁹ One fragment of Atta may suggest scandal that foreign courtesans sport Roman dress;⁴⁰ in Afranius one courtesan has the Greek name Moschis and is a native of the Greek city of Naples,⁴¹ while a further play is entitled *Thais*, a common name for Greek courtesans in Terence, Menander, and others.⁴² To a character in the same

³⁴ See e.g. Titin. *com.* 106 = Non. p. 209 L and *com.* 120–1 = Serv. at Verg. *Aen.* 11. 457 which both suggest that the setting of the *Setina* is the town of Setia. For similar titles cf. Titin. *com.* 138–54 = *Veliterna*; Afran. *com.* 15–18 = *Brundisinae*.

³⁵ Thus Titin. *com.* 112–13 = Non. p. 301 L 'quasi hermaphroditus fimbriatum frontem | gestas' can have a character sport an effeminate new hairstyle around the streets of Setia. Note the need of the Greek calque *hermaphroditus* to express the attendant confusion of gender.

³⁶ Titin. *com.* 85 = Prisc. *GLK* ii. 129. 15 'Ferentinatis populus res Graecas studet'.

³⁷ Guardì (1985) ad loc. points to Liv. 39. 6. 8 for the *psaltria* listed among the items of foreign luxury brought to Rome by the army returning from Asia in 186 bc.

³⁸ Titin. *com.* 88–9 = Non. p. 491 L cf. *com.* 90 = Prisc. *GLK* ii. 213. 3.

³⁹ Titin. *com.* 183 = Porph. at Hor. *car.* 2. 6. 10.

⁴⁰ Atta, *com.* 3 = Non. p. 193 L 'quam meretricie em lupantur nostro ornatu per vias'. The title of the play *Aquae Caldae* suggests its location in an Italian spa town, perhaps the ideal place for traditional Italians to encounter dubious Greek ways.

⁴¹ Afran. *com.* 136 = Non. p. 497 L.

⁴² Afran. *com.* 332–4. For the *Thais* of Menander, see fr. 163–9 K-A cf. Ath. 567C stating that it takes its title from its courtesan heroine. See also Hipparch. *Com.* fr. 3 K-A = Ath. 484D–E for another *Thais*. The courtesan heroine of the Terentian *Eunuchus* is of the same name.

writer, very likely a prodigal son, the inability properly to speak Greek is a clear source of embarrassment.⁴³

Courtesans and lyre-players, fine dining and perfume: precisely the actions which are objectively urban and subjectively Hellenic in the *palliata* are explicitly and objectively Greek in togate comedy. What though of the countryside? It will be no surprise to find instances in the *togata* of rural poverty and simplicity.⁴⁴ More important, however, is the clear impression given by one fragment of Titinius that the Greek behaviour which causes scandal in the town is doubly shocking when exported to the countryside.⁴⁵ Yet potentially the most significant piece of evidence derives from a fragment of the *Suspecta* of Afranius which is alas transmitted in a corrupt state but subject to an ingenious emendation on the part of Ribbeck: 'in Hortinos iam quantum pote explodam hominem, ut vilicetur.' (I shall now drive the man out into the Hortini as fast as possible to be a bailiff).⁴⁶ What this line clearly evokes is the wrath of a *paterfamilias* at the dissipation or some similar offence of a son or slave and his determination to send him out into the countryside as a punishment.⁴⁷ Where the text of Nonius is corrupt is in the reading *horpinos* which makes no sense as it stands but suggests reference to some Italian tribe or people. Various alternatives are therefore proposed and each is interesting in that it names a rural grouping implicitly contrasted with the urban locale where dissipation has been pursued.⁴⁸ Yet Ribbeck's suggested *Hortinos* is both closest to the transmitted text and has the effect of bringing to mind the one tribe—the Sabines—which features in second-century discourse both as the originators of the traditional Roman life and as its best representatives in the present.⁴⁹ For though modern Orte is to be found on the

⁴³ Afran. *com.* 272–3 = Non. p. 637 L. The title of the play, *Prodigus*, might suggest that the spendthrift son regards this linguistic accomplishment as the necessary accompaniment to his expensively elegant (and thoroughly Greek) ways.

⁴⁴ Afran. *com.* 159–60 = Non. p. 432 L. For this theme in Greek New Comedy and the *palliata*, see pp. 98–101.

⁴⁵ Titin. *com.* 175 = Paul Fest. p. 235 L: 'hominem improbum! nunc ruri pergraeccatur'. Note that Festus glosses *pergraeccari* as 'epulis et potationibus inservire'.

⁴⁶ Afran. *com.* 327 = Non. p. 273 L.

⁴⁷ For similar threats, see Titin. *com.* 176–7 = Fest. p. 230 L cf. Plaut. *Most.* 19, Ter. *Phorm.* 250.

⁴⁸ Orpinos *Mercer*; Arpinos *Aldine*; Hirpinos *Passerat*; Norsinos *Bergk*. Ribbeck ad loc. confesses that this is 'res incertissima'.

⁴⁹ For Cato, Varro, and the prestige of the Sabines, see pp. 103–5, 161 n. 12. For the piety and severity of the Sabines, see also Cic. *Vatin.* 36, *Lig.* 32; Liv. 1. 18. 1 and 4. It may be noted that Bergk's proposed reading 'Norsinos' would also have Afranius refer to a Sabine people.

Etruscan side of the Tiber, the *Ortinae classes* of *Aeneid* 7. 716 form part of the Sabine forces of Clausus and their association with the tribe is unlikely to have mystified antiquity quite as much as it has the scholarship of our own time.⁵⁰ When, therefore, it is necessary to map onto the landscape of Roman Italy the opposed worlds of city and country, of dissipation and toil, around which so much of Greek New Comedy and the *palliata* turns, it seems likely that it is the Sabine tradition which most eloquently represents the latter pole.

Writing for the *togata* may thus be seen as the systematic working out of a perspective which the determinedly non-naturalistic theatre of Plautus intermittently obtrudes into his version of the *palliata*: that this is, after all, about us, about Rome. Yet what Cicero claims for the *palliata* in his defence of Roscius—inasmuch as it reads against the grain of what the playwright appears to present—is challenging precisely when the form avoids just such Plautine play and bids for the very Menandrian naturalism which the orator's conception of comedy as a mirror to life implies. Likewise, when Afranius wishes to characterize his version of the *togata*, the debt which he avows is not to Plautus but again to Menander and to Terence. The hazards of transmission have sadly failed to vouchsafe any clear instance of what might be involved for Afranius in subjecting a Terentian comedy to *interpretatio togata* but a first stage in any such process must be to treat the palliate original to the type of reading which Cicero invokes. The implications of this conclusion are of signal importance for my work.

Constructing Rome

The other fundamental problem facing a study of this sort is that of history itself. A dominant theme in Chapters 4 and 5 is that of Hellenization and social and economic change, but the nature of such change is not always easy to assess. It is manifest that the riches won from Southern Italy and Sicily in the Second Punic War and from the Greek world in the Macedonian Wars and the expansion into Asia Minor had a drastic impact on Roman society. That the Romans of this period suddenly found themselves with far greater economic resources, and that much of this was spent on conspicuously Hellenic refinements,

⁵⁰ For the forces of Clausus, see Verg. *Aen.* 7. 706–22. For various problems relating to the 'Ortinae classes', see Horsfall (2000) ad loc. and at *EV* III. 896 s.v. 'Ortinae classes'.

may be accepted. What remains considerably less satisfactory is the image of Roman society *before* all this began.⁵¹

Examples of the problems involved may be drawn from the work of two of the greatest scholars of the literature and history of this period. The work of Emilio Gabba is of fundamental importance to the study of economic and social change in the Rome of the mid-Republic, and the historian's extension of this investigation to take in the comedies of Plautus and Terence results in perhaps the most important single contribution to the issues addressed in this book.⁵² Yet when Gabba attempts to describe the social conditions of the mid-third century BC, that is, at the time prior to the great transformation begun by the First Punic War, he refers to the impoverished ideal represented by C. Fabricius and Manius Curius.⁵³ In a separate work the same writer refers to the plebeian measure (*plebeia mensura*) of 7 *iugera* in land distribution and in such a way as to suggest that this figure, to which both Fabricius and Curius are reported to have restricted themselves rather than claim more than was being granted to their men, represents a genuine historical tradition.⁵⁴ Two instances, perhaps, of a necessary shorthand, of symbolic figures employed to summarise historical conditions the existence of which can be confidently claimed even if it is no longer possible to document their precise dimensions.⁵⁵ Yet it will be instructive to look further into those symbolic figures; for close analysis of what they represent reveals much about the evidentiary problems which the historian is obliged to confront.⁵⁶

The figure of seven *iugera* is cited intriguingly by Varro in relation to the tribune C. Licinius who, 365 years after the expulsion of the kings (*post reges exactos*), that is, in 145 BC, led the people from the 'comitium' into the 7 *iugera* of the forum in order to propose his legislation.⁵⁷ Columella meanwhile argues that a small farm well kept will be more productive than a large one that is subject to neglect and cites the example

⁵¹ Lintott (1972) 627–30 illustrates effectively some of the problems faced by the historian.

⁵² Gabba (1988) esp. 69–82.

⁵³ Gabba (1988) 71. Similar remarks regarding M. Curius and M. Atilius Regulus in Gabba (1979) 22–3, 30.

⁵⁴ Gabba (1951) 18–19. For the restraint of Curius and Fabricius, see Colum. 1. pref. 14. For Curius alone, see also Val. Max. 4. 3. 5; Colum. 1. 4. 10; Plin. *nat.* 18. 18; Plu. *Mor.* 194 E; Frontin. *strat.* 4. 3. 12; [Aur. Vict.] *vir. ill.* 33. 5–6.

⁵⁵ For a detailed analysis of what can be known of those conditions and of the process leading up to the Gracchan crisis, see Gabba (1979) 13–54.

⁵⁶ Gabba (1978) shows the way with his analysis of the 'heredium Romuli'.

⁵⁷ Varro *rust.* 1. 2. 9 cf. Cic. *Lael.* 96.

of what he calls 'those seven acre portions of Licinius' (*Liciniana illa septena iugera*) which the tribune granted to each man after the expulsion of the kings (*post reges exactos*).⁵⁸ This Columella describes as the plebeian measure (*plebeia mensura*) and Pliny corroborates his claim.⁵⁹ As for the archaic tribune Licinius at issue in this passage, the obvious candidate is the C. Licinius whom Livy names among the first tribunes created after the secession to the Alban Mount.⁶⁰

Varro's allusion to the unusual behaviour of the second-century C. Licinius is prompted by the arrival of his friend C. Licinius Stolo. Moreover, the first thing which we are told about this figure, even before we hear of the tribune of 145, is that he shares the name of yet another famous tribune, the C. Licinius Stolo, who in 367 BC proposed that no citizen should be permitted to possess more than 500 *iugera*.⁶¹ It may further be noted—for it is significant—that Varro does not refer to the unhappy tale told by Livy and Valerius of how the tribune was subsequently prosecuted under his own law when the sharp practices were exposed which allowed him to retain 1000 *iugera* himself.⁶²

There is good reason to investigate this nest of references to tribunes, land assignments, and Licinii. For their peculiar combination of devotion to the *gens* and to the people bears the quite unmistakable mark of that remarkable politician and historian C. Licinius Macer.⁶³ When, thus, the Licinius Stolo of 365 years after the expulsion of the kings leads the plebs into the 7 *iugera* of the forum in order to propose his legislation, it is obvious that he reminds them of the great *popularis* achievement of his ancestor C. Licinius who, at least in Macer's *Histories*, must have been credited with the virittane assignment of 7 *iugera* after the expulsion of the kings. And why this is ideologically so significant is that it was only after the expulsion of the kings that the common citizens of Rome were able to claim for themselves more than

⁵⁸ Colum. 1. 3. 9–10.

⁵⁹ Colum. 1. 3. 10 cf. Plin. *nat.* 18. 18 'haec autem mensura [sc. 7 iugera] plebei post exactos reges adsignata est'.

⁶⁰ Liv. 2. 33. 2.

⁶¹ Varro *rust.* 1. 2. 9; Liv. 6. 35. 4–5. The 'popularis' character of this legislation is apparent from Liv. 6. 35. 4 'leges omnes adversus opes patriciorum et pro commodis plebis'.

⁶² Liv. 6. 35. 4–5 cf. 7. 16. 9; Val. Max. 8. 6. 3. Oakley (1997) at Liv. 6. 34. 1 offers an excellent discussion of the alleged legislation of 367 BC and a vindication of the partial historicity of the Livian account. Note also the discussion of the references to very similar legislation at Cato *ORF*³ fr. 167 = Gell. 6. 3. 37 cf. App. *BC* 1. 33; Plu. *TG* 8. 1–4 and their possible relationship to the Licinian legislation in Tibiletti (1948–9).

⁶³ For the influence of Macer, see Ogilvie (1965) at Liv. 2. 33. 2 and Heurgon (1978) at Varro *rust.* 1. 2. 9.

the miserable 2 *iugera* which King Romulus granted to each man as his future family inheritance,⁶⁴ and only after the famous secession of the plebs that the tribunate was created at all.⁶⁵

Gabba's plebeian measure is therefore not an objective fact of land tenure but the symbol of a contest which C. Licinius Macer retrojects to the very earliest years of the state, the contest between rich and poor over the appropriate allocation of the *ager publicus*.⁶⁶ So much for the left. Yet the same reference to 7 *iugera* proliferates and with it a very different ideological construction and one which is already evident in Columella even as he transmits the Licinian tradition. For Columella's point, as has been noted, is that a small estate tended well is superior to a large one left to decay and the example of early Romans able to get by on so small a plot is a challenge to the writer's luxurious contemporaries.⁶⁷ At this point, Columella introduces the example of one of Gabba's thrifty third-century leaders and tells of how M. Curius refused the honorary gift of 50 *iugera* in favour of the plebeian measure. Pliny too uses the case of Curius to evoke the simplicity of the past; he makes no mention of the 50 *iugera* refused by the general but attributes to him in a speech before the people the claim that a citizen who could not get by on 7 *iugera* was a menace to the state.⁶⁸

The Plinian version of the Curius story is important and has an important parallel in Plutarch where the general accepts 7 *iugera* for himself precisely in order to deflect the demands of his men for more.⁶⁹ In these instances, therefore, the popular audience to whom the general addresses the apophthegm mirrors that of the anecdote as a whole and the message to both is the same: if your leaders can get by

⁶⁴ Varro *rust.* 1. 10. 2; Plin. *nat.* 18. 7; Fest. p. 47 L. For a convincing demonstration that the 'heredium Romuli' bears no relation to the realities of archaic land tenure and is very likely a retrojection from the procedures followed, for instance, in the establishment of the colony at Terracina in 329 BC recorded at Liv. 8. 21. 11, see Gabba (1978).

⁶⁵ Liv. 2. 33. 1–2. For 'post reges exactos' as a dating formula, see Liv. 4. 3. 4. 4. 1, 4. 4. 7. 4. 15. 3. 7. 3. 8, 10. 9. 3 and the passages collected at *TLL* 5. 2. 1449. 66–9. Here it becomes something considerably more pointed.

⁶⁶ Liv. 5. 30. 8 cites a figure of 7 'iugera' for the land distributed after the sack of Veii but this is unusually high. For the more miserly distributions recorded elsewhere in the first decade of Livy, see Oakley (1997) at Liv. 6. 36. 11.

⁶⁷ Colum. 1. 3. 9–10 cf. Plin. *nat.* 18. 7 where 2 'iugera' were enough for the age of Romulus while in Neronian Rome even an ex-slave might find a garden, a fishpond, or a kitchen that size rather cramped.

⁶⁸ Colum. 1. 3. 9–10 cf. Plin. *nat.* 18. 18 'Mani quidem Curi post triumphos immensumque terrarum adiectum imperio nota contio est: perniciosum intellegi civem, cui septem iugera non essent satis. haec autem mensura plebei post exactos reges adsignata est.'

⁶⁹ Plu. *Mor.* 194E.

with so little, why can't you?⁷⁰ And those leaders—both those of the semi-legendary past *and* of the third and second Centuries—seem to engage in a positive stampede to acquire their 7 *iugera* and if possible in the most ideologically attractive because agriculturally hopeless terrain: Livy, Dionysius, and Columella have Cincinnatus get by with 4 *iugera* after he is punished for the failure of his son to appear in court, though Valerius is sufficiently obsessed with the magic number to add that he lost another three when standing surety to the treasury for a friend;⁷¹ M. Atilius Regulus, Roman commander in the First Punic War, farms 7 *iugera* on the Pupinia and, when his bailiff dies during the African campaign, is obliged to seek permission to surrender his command so that he may tend his fields;⁷² the land invidiously spared by Hannibal and then sold by Fabius Maximus in order to pay for the ransoming of prisoners refused by the senate consists of 7 *iugera* and is again on the Pupinia.⁷³ In short, 7 *iugera* when wrested from the rich in place of the 2 granted by Romulus are a powerful example of what can be achieved through agitation for land reform; the same figure invoked as an instance of what even great leaders could—and can—survive on is an equally powerful tool for those determined to frustrate demands for a more realistic distribution in the present. Either way it is worse than useless as documentary evidence for the property held by Rome's leaders in the years before the rise to power.⁷⁴

When so much of the remembered simplicity of earlier generations is actually an emotional response to the perceived extravagance of the present, it is hard to find objective evidence of what Rome changed from in order to become what she was. This problem has an obvious bearing on the approach taken to Plautus in Fraenkel's *Elementi*

⁷⁰ Cf. Harris (1979) 265: 'Even if M.' Curius took only seven *iugera* of Sabine land, not the 50 offered by the senate . . . it was obviously not his only property.'

⁷¹ Liv. 3. 13. 10, 3. 26. 8; D.H. 10. 8. 4; Colum. 1 pref. 13; Val. Max. 4. 4. 7. For the 'prata Quinctia' and the 4 acres of Cincinnatus, see also Plin. *nat.* 18. 20; Paul. Fest. p. 307 L.

⁷² Val. Max. 4. 4. 6 cf. Colum. 1. 4. 2–3; Apul. *apol.* 18; Frontin. *strat.* 4. 3. 3.

⁷³ Val. Max. 4. 8. 1. The Pupinia is a stretch of land between Rome and Tusculum which is a byword for aridity and infertility (Cic. *leg. agr.* 2. 96; Varro *rust.* 1. 9. 5–6; Liv. 26. 9. 12; Colum. 1. 4. 2–3). For the claim that all the great farmer-politicians tended this land, see Val. Max. 4. 4. 4.

⁷⁴ Cf. Ogilvie (1965) at Liv. 4. 47. 7 and Oakley (1997) at Liv. 6. 36. 11, who both note that even 7 'iugera' was far too little for anyone to sustain himself or his kin. Ogilvie's suggestion that such small allotments represented the owner's *heredium* on which he could at least build somewhere for his *penates* to reside may be accurate as history but runs entirely counter to the rhetorical construction placed on the issue by the texts. Likewise Oakley's observation that such small plots presuppose access to substantial additional areas of *ager publicus* to exploit.

plautini in Plauto.⁷⁵ For Fraenkel is relatively confident that certain figures presented in Plautine comedy—most notably courtesans and parasites—are fundamentally strange to the unrefined Rome of the period and detects evidence for this in the Latin poet's presentation of such figures in terms which distort the Greek original in order to make his characters more akin to recognizable Roman types.⁷⁶ When therefore the scandalized Lydus of the *Bacchises* looks into the house of the two sisters, what he actually describes is the sordid world of the enslaved brothel-prostitute, not the grand and independent courtesan of Athens.⁷⁷ When the Ergasilus of the *Captivi* dreams only of pork, he is recognizable as the gluttonous Dossennus of the *Atellana*.⁷⁸

Fraenkel's claim as regards courtesanship may prove satisfactory as a generalization. It does not, however, explain how Livy is able to attribute the exposure of the Bacchanalia scandal in 186 BC to a courtesan Hispala Faecenia who bears more than a passing resemblance to her peers on the comic stage,⁷⁹ and whose profession is described in terms which may in fact constitute the closest Latin comes to finding an equivalent for the high-class services of the Greek *hetaira*.⁸⁰ More striking still, perhaps, the confidence with which the modern scholar proclaims the facts of Roman social life in this period contrasts intriguingly with the ability of certain of the contemporaries of Plautus to imagine a quite different reality.⁸¹ Take, for instance, Cato the Elder whose prose

⁷⁵ Fraenkel (1960).

⁷⁶ Fraenkel (1960) 144–5 cf. 183 and n. 2, 239. Fraenkel's approach is anticipated by Leo (1913) 139–40, 144.

⁷⁷ Fraenkel (1960) 144–5, cf. Leo (1913) 144; Zagagi (1980) 127.

⁷⁸ Fraenkel (1960) 239.

⁷⁹ Liv. 39. 9. 5, 'scortum nobile libertina Hispala Faecenia, non digna quaestu cui ancillula adsuerat, etiam postquam manumissa erat eodem se genere tuebatur'. Walsh (1994) ad loc. notes Hispala's likeness to a Terentian 'bona meretrix'. For a defence of the historicity of Hispala, see Paillet (1988) 363–9.

⁸⁰ Liv. 39. 9. 5, 'scortum nobile', cf. M. Porcius Cato, *ORF*³ fr. 69 = Liv. 39. 42. 8, 'nobile scortum' for Philippus Poenus; Val. Max. 4. 3. ext. 3 'nobile Athenis scortum' for Phryne. For mid-Republican parallels for this term cf. Ter. *Haut.* 227 'meast potens procax magnifica sumptuosa nobilis', *Hec.* 797 on the 'nobilitatem' of Bacchis and the claim of Don ad loc. that 'nobilis' is the characteristic term used to describe either 'meretrix' or 'gladiator'; Lucil. fr. 263 M = Non. p. 557 L 'Phryne nobilis illa'. Adams (1983) 321–7 demonstrates the tendency of 'meretrix' to represent a higher class of prostitute than 'scortum' but does not discuss the manifestly oxymoronic 'scortum nobile'.

⁸¹ Among these must be the interpolator who added Plaut. *Curc.* 485 to the choragus' tour of the forum: 'ditis damnosos maritos apud Leucadium Oppiam'. Grammatical discontinuity and the repetition of 'ditis damnosos maritos' from the opening of v. 472 suggest that Leucadia Oppia is a post-Plautine addition. It is, however, easier to imagine irresponsible, rich, spendthrift husbands being drawn to a high-class courtesan, if such Leucadia was, than to the 'scorta exoleta' of v. 473. For the text, see Zwierlein (1990) 263–5; Moore

history, the *Origines*, introduces the remarkable claim that one Larentia earned so much money from her career as a *meretrix* that she was able to bequeath a very considerable portion of land to the nascent Roman state.⁸² This, it should be remembered, is the same Larentia whom other versions identify as the nurse of Romulus!⁸³ Yet Cato appears to have retailed neither this version of the career of Larentia nor another in which her eventual wealth derives from marriage in favour of one in which she succeeds precisely thanks to her profession.⁸⁴ If the term *meretrix* cannot be claimed immediately to suggest the grand manner of the Hellenistic *hetaira*, it is clear from her independent status and considerable resources that Acca Larentia is no low-grade *prostibulum* either. What Fraenkel rejects as a misunderstood novelty, Cato seems to retroject to the most archaic past.⁸⁵

A similar observation may be made with regard to the second category discussed by Fraenkel: the parasite. In this instance Fraenkel acknowledges the possibility that distinguished Roman gentlemen employed clowns at dinner to whom the Greek title of parasite was then applied.⁸⁶ He then describes as most strange the following statement from Cato's account in the *De Agri Cultura* of the duties of the bailiff: 'parasitum nequem habeat. haruspice, augurem, hariolum, Chaldaeum nequem consuluisse velit.' (Let him have no parasite. Let

(1991) 358. For the suggestion that the 'scorta exoleta' are male prostitutes, see Moore (1991) 349 and n. 16. It would be good to know when Leucadia set up in business.

⁸² Cato *orig.* fr. 16 P = Macr. *Sat.* 1. 10. 16: 'Cato ait, Larentiam meretricio quaestu locupletatam post excessum suum populo Romano agros Turacem, Semurium, Lintirium et Solinium reliquisse et ideo sepulcri magnificentia et annuae parentationis honore dignatam.'

⁸³ C. Licinius Macer fr. 1 P = Macr. *Sat.* 1. 10. 17; Plu. *Rom.* 4. 4-5; D.H. 1. 84 and 87 claim that Acca Larentia is the nurse of Romulus and marries the rich Tarutius after the death of Faustulus. When Tarutius dies, she leaves his property to Romulus.

⁸⁴ Plu. *Rom.* 5 cf. *Mor.* 272F-273B; Fast. Praenest. for Dec. 23 = *CIL* I² p. 338; Macr. *Sat.* 1. 10. 12-15; Tert. *nat.* 2. 10; Aug. *civ.* 6. 7 tell of how the priest of Hercules loses at dice with the god and procures him Acca Larentia as his prize. Hercules instructs Acca to go to the forum and befriend the first person she meets. She does so and thus becomes the wife or lover of the wealthy Tarutius/Carutius who leaves her his property when she dies.

⁸⁵ What appears to make Cato's version stand out and therefore justify Macrobius' citation of it as an alternative to the version given at *Sat.* 1. 10. 12-15 is his attribution of the wealth of Larentia specifically to her activity as a 'meretrix' and his failure to refer to Tarutius. The closest parallel account is that of Valerius Antias fr. 1 P = Gell. 7. 7. 5-7. Schröder (1971) 159-67 discusses the Cato fragment well and rightly notes that, inasmuch as neither Plutarch nor Augustine imply that Larentia ever marries Tarutius, the claim made in the *Origines* could refer to or presuppose the same story. Momigliano (1969) 471-9 is fascinating but does not do justice to Cato's version. For Acca Larentia as courtesan cf. Macr. *Sat.* 1. 10. 13 describing her as 'nobilissimum id temporis scortum' cf. Aug. *civ.* 6. 7 where she is 'nobilissimam meretricem'.

⁸⁶ Fraenkel (1960) 183 n. 2.

him wish to consult no soothsayer, augur, prophet, or Chaldaean.)⁸⁷ What makes this particular recommendation so unusual is the implication that a phenomenon, which is assumed to be unknown in the Rome of Plautus except through books, should be perceived at the time of the *De Agri Cultura* as something which even the slave retained to manage one's farm might enjoy. One response to the problem is to ignore it.⁸⁸ Another is to cite the equivalent if infinitely more banal instruction provided by Columella and claim that the two versions are effectively saying the same thing.⁸⁹ Yet what Cato actually seems to suggest is that parasitism is so prevalent a phenomenon among the urban rich that even the slave who stands in for the absentee landowner on his rural estate may be tempted to ape his ways.⁹⁰ Likewise, when he comes to prescribe the appropriate behaviour of the bailiff's wife, what is to be forbidden is the imitation of the indolent ways of the women of the urban leisure class.⁹¹

Is it therefore to be concluded that the Rome of the period of the *De Agri Cultura* was in the grip of parasitism? Perhaps not. It may indeed be right on one level to retranslate Cato along the lines of Columella and see this merely as a warning against excessive entertaining of guests by the farm-manager. Yet, if this is so, the elaborate terms in which Cato has expressed himself suggest strongly that he has begun to see his own society in the terms proposed by comedy. Cato writes specifically for an absentee landlord,⁹² and maybe he has seen something in the *Persa* of Plautus, and its images of slaves running riot and acquiring parasites for themselves, of the risks which that landlord runs.⁹³ At which point

⁸⁷ Cato *agr.* 5. 4. Cf. Plaut. *Men.* 76 where 'parasitus' and 'hariolus' are listed among the inhabitants of the comic stage. *Ariolus* is also the title of a comedy by Naevius (*com.* 20–4).

⁸⁸ Hug's article on parasitism at Rome at Pauly, *RE* 18. 4. 1397–1405 does not mention this passage at all but still claims at 1398 that at the time of Plautus and Terence the parasite was still an unknown figure in the simple social world of the Romans.

⁸⁹ Colum. 11. 1. 23, cf. 1. 8. 7, 'hospitem nisi ex amicitia domini quam rarissime recipiat'. For this approach, see Leo (1913) 140 n. 2; Boscherini (1970) 121–2.

⁹⁰ Pighi (1944) 41.

⁹¹ Cato *agr.* 143. 1, 'ne nimium luxuriosa siet. vicinas aliasque mulieres quam minimum utatur neve domum neve ad sese recipiat. ad cenam nequo eat neve ambulatrix siet. rem divinam ni faciat neve mandet, qui pro ea faciat, iniussu domini aut dominae'. Cf. Plaut. *Mil.* 693 where one's wife will seek money at the Quinquatrus to pay both 'hariola' and 'haruspica'.

⁹² Cato *agr.* 4. 1 cf. 142.

⁹³ See Damon (1997) 48–51 discussing Cato *agr.* 5. 4 in the light of Plaut. *Persa* 31–5 and 83–101. For an even more exact playing out of these anxieties cf. Pompon. *com.* 45–6 = Non. p. 242 L: 'longe ab urbe vilicari, quo erus rarerent venit, | (id) non vilicari, sed dominari est mea sententia.' For the problems attendant on absentee landholding, see also Colum. 12 pref. 9–10.

the intervention of the philologist to restore dull reality and reassert a theory of the unfamiliarity of Greek forms becomes somewhat paradoxical.

The conclusion to be drawn from both the foregoing analyses should be clear. Where Gabba finds an account of actual historical change on claims for a Roman past generated in response to that change, Fraenkel asserts objective realities of mid-Republican Roman life which fall short of the imaginative power of certain Romans at large in that time. That Rome in the age of Plautus and Terence was subject to and perceived as being subject to dramatic socio-economic change will not be denied; quite how primitive was the world which came before is somewhat harder to recover. In short, just as the comic texts to be studied are themselves part of history, so it will be wise to remember that much of what we call history is itself a fundamentally textual construction.

Topicality and Discourse

The final methodological problem to be raised is that of the type of connection to be drawn between the comic texts and the rest of the evidence for the period. Perhaps the most obvious way to deal with this issue would be to comb the plays studied for specific topical references. This, however, is subject to various difficulties.⁹⁴ First, as has been noted above, New Comedy as a whole shuns political comment and the mockery of significant contemporaries. Any such comment is therefore likely to be very carefully disguised if it is present at all.⁹⁵ Second, there is no didascalical evidence by which to date any but two of the plays of Plautus and the identification of topical allusion is all the harder for this;⁹⁶ where such evidence does exist, the case for topicality is considerably stronger in the one than in the other.⁹⁷ Moreover,

⁹⁴ For historical work on Plautus which is valuable precisely because it foreswears any appeal to topicality, see esp. Galinsky (1966) esp. 232, cf. Gruen (1990) 124–57.

⁹⁵ It is, however, hard to believe that Plaut. *Mil.* 210–12 is not an allusion to the imprisonment of Naevius.

⁹⁶ Firm didascalical evidence is available only for the *Stichus*, which was first performed at the Ludi Plebeii of 200 BC, and the *Pseudolus*, which was first performed at the 191 BC opening of the temple of the Magna Mater. For brief discussion of and a bibliography to the largely vain attempts to date the other plays, see Duckworth (1952) 54–6 and Gruen (1990) 124–5 and n. 2.

⁹⁷ I have found no credible account of topical reference in the *Pseudolus*. Considerably

though didascalia are supplied for all the works of Terence and the analysis of the *Adelphoe* in Chapter 4 is therefore by far the closest this study comes to genuine topicality, it may be observed that no such approach has been attempted for the poet's five remaining plays, and that perhaps the most significant conclusions to be drawn with regard to this play transcend the topical and embrace the broader problem of authority and what I call the habit of command.⁹⁸

The problems attendant on the appeal to topicality and the nature of the alternative approach proposed may be exemplified with reference to the drama with which the second chapter of this study is concerned: the *Captivi*. Towards the end of this chapter reference is made to Plutarch's *Life of Flamininus* and his account of the 194 BC triumph in which were seen 1,200 Roman prisoners captured in the war against Hannibal, sold into slavery in Greece, and finally restored to freedom by the grateful people of Achaëa.⁹⁹ As is noted in the discussion of this passage, the potential connection between this episode and the *Captivi* is identified by Lefèvre and the suggestion made that the first production of the play took place at putative triumphal games put on by Flamininus.¹⁰⁰ This, however, is not the only topical allusion which has been noted nor is it the only date for the production of the drama to be proposed. For both Wellesley and Grimal independently note the report at Livy 37. 3. 8 of the early 190 BC relegation of forty-three Aetolian prisoners to the Lautumiae in Rome and link it to the Aetolian setting of the drama and the brief imprisonment of the Aetolian Tyndarus in the quarries.¹⁰¹ Grimal therefore suggests performance at the September 190 BC Ludi Romani,¹⁰² while Wellesley links this to other less convincing contemporary allusions and argues for the same

more plausible is the claim of Wagenvoort (1931) that the joyful celebration of homecoming and plenty in the *Stichus* reflects the atmosphere in Rome at the close of the 2nd Punic war. Wagenvoort points to Liv. 30. 45. 1–2 and the 201 BC homecoming of Scipio. In a play which features exuberant description of the riches brought home by an overseas voyage, it might be appropriate also to point to Liv. 31. 4. 6–7 and 31. 50. 1–3 for the massive supplies of grain imported from Africa and distributed by the aediles. In both cases these notices are linked to accounts of the triple instauration of the Ludi Plebei. For the grain distributions of 201 and 200 BC, see Briscoe (1973) at Liv. 31. 4. 6. When Gelasimus complains of 'annona gravis' at Plaut. *Stich.* 632–4, the opposite is actually the case. So too at Rome.

⁹⁸ See pp. 175–91.

⁹⁹ See pp. 86–8.

¹⁰⁰ See p. 88 n. 116, citing Lefèvre (1998) 33–6.

¹⁰¹ See Plaut. *Capt.* 721–3, esp. 723 'in latomias lapidarias'.

¹⁰² Grimal (1969a) 413.

setting or preferably the Ludi Romani of the following year.¹⁰³ Finally, and most recently, Kemper points to the thematization of *fides* in the play and suggests an allusion to the dispute between the Aetolians and M.' Acilius Glabrio over the meaning of the term at Livy 36. 28. 1–7 and Polybius 20. 9–10.¹⁰⁴

All the above suggestions are learned and ingenious and are based on some point of contact between the drama and the historical record. They all, moreover, point to events within a fairly restricted historical period (194–189 BC) and it is quite possible that all are right. None, unfortunately, can admit of any sort of proof. Yet the truly substantial objection is that neither Wellesley, Grimal, nor Kemper attempts to explain what it might mean for the Roman audience to be confronted with a truly noble Aetolian character suffering the fate which their state imposed on his countrymen or to be reminded of the bullying tactics of an Acilius Glabrio. Lefèvre alone does so and his suggestion is that the happy ending of homecoming prisoners presented by the *Captivi* corresponds to the public celebration of the return of the men rescued by Flamininus.

The interaction of comedy and history characteristic of this study is rather different. True, there are many instances where a point of intersection between the events portrayed on the comic stage and those excavated from other ancient sources for the period may suggest a form of topicality. Yet such intersections are only the starting point for the investigation of various discursive categories: the ethical construction of military trickery; the Roman prisoner of war; the conflict between agrarian and mercantile economies; the exercise of *imperium* and the habit of command. In the instance under consideration, therefore, the specific event to which Lefèvre refers itself has a history, a context, and one in which it rather stands out. For, while the analysis of the comic construction of imprisonment and its appropriate resolution by restoration to the family finds much to link the *Captivi* with the events to which Lefèvre refers, the broader historical pattern is very different. Crucial here is the persistent tendency on the part of

¹⁰³ Wellesley (1955) 305.

¹⁰⁴ Kemper (2002) 107–9. It is a shame that Kemper does not follow through this claim. Plb. 20. 10. 8–9 describes the threat to chain the Aetolians (ταῦτα λέγων φέρειν ἄλυσιν ἐκέλευσε καὶ σκύλακα σιδηροῦν ἐκάστωι περιθεῖναι περὶ τὸν τράχηλον) and how they stand speechless in response (ἔστασαν ἄφωνοι). The overlap with the two chained prisoners who stand mute for the first 125 lines of the *Captivi* may well be fortuitous but it is striking all the same.

the senate of the third and second centuries to stigmatize Romans who allow themselves to be captured in time of war; the evolution of the law of *postliminium* to encode this harsh attitude to the imprisoned and to assert the priority of the fatherland over the family; and the recurrence of narratives in which the yearning of family members to be reunited with their kin is sacrificed to the interests of the community.

This then is a history which studies the transformation of Rome through the discourses and constructions which attempt to make sense of the process. There is perhaps no better evidence for the dramatic social, political, and economic change which characterized the age of Plautus and Terence than the simultaneous development of prose history as a literary form and its insistent reconstruction of the distant as well as the recent Roman past. Yet—as has already been hinted and will further be adumbrated in the course of this work—rhetoric, jurisprudence, even agronomy all do very similar ideological work and all ground their claims in historical example and tradition. Comedy, in turn, inasmuch as it is perhaps the most acutely stylized ancient literary genre and the most susceptible to analysis as a closed and self-referential system, fits oddly into this framework. For all that it may often touch on or depict a figure whose status is acutely ideological in a separate contemporary discourse, the comic construction of that same figure will not so much interact with that discourse as run in parallel to it. It must be recalled that when Cicero describes comedy as a mirror of Roman life, he is effectively reading against the grain of the texts he invokes; however revealing such an approach may be, it is worthwhile at times to read with the grain and to respect comedy's desire to figure itself as a world apart. Creative juxtaposition can itself produce significant results.

I am only too aware of the greatest hazard that a work of this sort must encounter: that the historians dismiss it as literary criticism and the literary critics dismiss it as history. I trust, however, that it has something to offer to both.

Plautus and Hannibal

Introduction

The comedies of Plautus—in so far as we can date them—were composed during the course of and in the sixteen years immediately after the Second Punic War.¹ The plays themselves contain occasional references to the fact that the state is at arms but only once is that enemy specified as Carthage and not Macedon or the other Greek states with whom Rome became entangled in the years after 200 BC.² One work, the *Poenulus*, takes a specifically Carthaginian theme and engages most surprisingly with characteristic views of Rome's great foe. This will therefore occupy a significant though secondary position in my argument. More broadly, I hope to identify a pervasive Hannibalic impact on the entire œuvre of Plautus. In doing so I will return to one of the most famous and most important modifications which Plautus makes to his Greek originals, and one which most clearly bears the stamp of the historical moment of composition: the celebration of the slave as trickster and the metaphorical figuration of his role as that of a general and of his machinations as military manoeuvres. My purpose in doing so is to point to a crucial area of instability which has much to say about the relationship between comedy and history.

The Plautine Slave and History

The Roman genre of *comoedia palliata* involves the translation and adaptation of the classics of Greek New Comedy, most notably the works of Menander, Diphilus, and Philemon.³ The degree, nature, and extent

¹ For dating and the problem of topicality, see Introduction, pp. 20–3.

² Plaut. *Cist.* 197–202, esp. 202, 'ut vobis victi Poeni poenas sufferant', is the one explicit allusion to the ongoing 2nd Punic War. For other references to Rome at war, see Plaut. *Amph.* 39–45, *Asin.* 14–15, *Capt.* 67–8, *Cas.* 87–8, *Rud.* 82 and the discussion at Perna (1955) 179–80.

³ The work with which the first half of this chapter is most closely engaged, the *Poenulus*,

of adaptation varies from writer to writer. In the case of Plautus, a significant feature is the elaboration of the role of the wily slave or *servus callidus*, a figure of such brilliance that he can take control of the entire course of the drama and whose triumph the comedy is destined to depict.⁴ That slave frequently transcends his lowly status by means of transformation or identification. He can become a teacher, an actor-manager, a philosopher, or a priest.⁵ Most importantly, his exploits can become subject to a pervasive military metaphor and he can turn into a Homeric hero, an Alexander, a consul, or a great Roman general. These are some of the central claims of Fraenkel's 1922 *Plautinisches in Plautus*, revised in 1960 as *Elementi plautini in Plauto*, and have only been reinforced by subsequent papyrus finds from Greek New Comedy.⁶ Challenges to Fraenkel's case have been rare and unsuccessful and it continues to command general assent.⁷

The dominant concern of Plautine scholarship remains the meticulous analysis of the process of adaptation. Broader issues of cultural history and of the relationship of comedy to the world of mid-Republican Rome are very much a secondary consideration. Even Fraenkel, whose analysis of the slave as general reveals so impressive a knowledge of Livy and of the history of the period, restricts himself to pragmatic theatrical considerations when he sets out to explain the phenomenon: the elaboration of the slave as hero panders to the need of the unsophisticated Roman audience for greater colour, less subtle distinctions than the Greek audience of Menander, and meets the ambitions of the *dominus gregis* to elaborate his own role.⁸ Nor do empirical

is probably based on the *Karchedonios* of Alexis. See the arguments of Arnott (1996) 284–7, 740–1.

⁴ For possible wily slaves and military imagery in Livius Andronicus, Naevius, and Ennius, see Wright (1974) 18–19, 47–52, 63–4. Wright argues persuasively for a Roman comic tradition to which Plautus adheres and which the more determinedly Attic Terence rejects. In this context, Wright (1974) 96–7, 105–6, 116–17, and 123 on Caecilius are particularly valuable. Note esp. Caecil. *com.* 229 = Fest. p. 400 L: 'nunc meae militiae, Astutia, [te] opus est subcenturiare', cf. Ter. *Phorm.* 229–30, 'nunc prior adito tu, ego in insidiis hic ero | succenturiatus, siquid deficias.' ⁵ On this point, see Wright (1975).

⁶ Fraenkel (1960) 223–41. All references are to the Italian translation which contains various addenda and important modifications of Fraenkel's initial view of other issues, most notably the theory of *contaminatio*. For military metaphors applied to servile intrigue, see also Brotherton (1926) 63–9.

⁷ Dumont (1966) suggests that Fraenkel underestimates the degree of servile machination and military imagery in Greek New Comedy but adduces too little evidence to support this claim. For criticism of Dumont and a reassertion of Fraenkel's position, see MacCary (1969) esp. 292–3. See also the intelligent remarks of Segal (1987) 128–31 and Pansieri (1997) 679–89.

⁸ Fraenkel (1960) 239–41.

historians of ancient slavery offer much more. Confronted with the figure of the slave as general, Spranger can only conclude that this has no relevance to the life or mentality of the average Roman slave and that the metaphor appeals to undefined concerns of the Roman audience of the time of the Second Punic War.⁹

This chapter, therefore, is about the Plautine slave and history. I am convinced that the Plautine moment and the Hannibalic moment coincide and the two major themes which I mean to address are both resonant of the shock of the Second Punic War. The Plautus who emerges from this investigation is one whose comedies persistently touch the rawest of nerves in the audience for whom he writes.¹⁰

Gracchus and the ‘Volones’

The arming of slaves is a matter of recurrent concern in Roman politics. One need think only of Catiline and of Sextus Pompeius to realize the opprobrium which such procedures could incur.¹¹ It might therefore be asked whether the comic slave decked out in a full array of military metaphors does not have that power to provoke laughter which only truly anxious experiences enjoy. For this anxiety was all too fresh for the Roman audience of Plautus and it is indicative of quite how desperate a situation Rome reached at the worst of the Second Punic War that she was driven to enrol slaves into the legions and to promise them their freedom as a reward for service.¹² The army of ‘volones’ was enrolled in the aftermath of Cannae, served with distinction under Ti.

⁹ Spranger (1984) 39–42.

¹⁰ For a serious study of the Plautine slave and history, see Parker (1989), esp. pp. 233–40. Parker stresses the prominence of crucifixion jokes as a working through of the anxieties provoked by the massive increase in the Roman slave population in the years of the Punic Wars and by the slave revolts recorded at Liv. 22. 33. 2, 32. 26. 4–18, 33. 36. 1–3, 39. 29. 8–10.

¹¹ For Catiline, see Sall. *Catil.* 24. 4, 44. 5, 46. 3, 50. 1, cf. 56. 5; McGushin (1977) 162–3, 220–2; Syme (1964) 82. For the arming of slaves by Sextus Pompeius in the Sicilian War, see Aug. *RG* 25. 1; Hor. *epod.* 9. 7–10; Manil. 1. 919–21; Luc. 1. 43; Vell. 2. 73. 3; D.C. 48. 19. 4, 49. 12. 4; Syme (1939) 228. Suet. *Aug.* 16 reports that Octavian manumitted 20,000 slaves so that they might legitimately serve in the same war.

¹² Liv. 24. 14. 3–16. 19 stresses that the ‘volones’ served as slaves and only received their freedom as a reward for the victory at Beneventum. See also Isid. *orig.* 9. 3. 38 who emphasizes the exceptional nature of this procedure. This is an important matter and obscured in some later sources where freedom follows directly on enlistment. Rouland (1977) 45–56 discusses the issue well and argues strongly for manumission only after successful service. So too Welwei (1988) 7–8, 11.

Sempronius Gracchus, and features prominently in Livy's account.¹³ Sources for this episode frequently express shock at such a measure.¹⁴

The greatest success of Gracchus and the 'volones' came at Beneventum in 214 BC.¹⁵ Crucial here, and immensely suggestive for the role of the slave in Plautine comedy, is the account of the aftermath of this battle offered at Livy 24. 16. 14–19:

signum deinde colligendi vasa dedit; militesque praedam portantes agentesque per lasciviam ac iocum ita ludibundi Beneventum rediere ut ab epulis per celebrem festumque diem actis non ex acie reverti viderentur. Beneventani omnes turba effusa cum obviam ad portas exissent, complecti milites, gratulari, vocare in hospitium. apparata convivia omnibus in propatulo aedium fuerant; ad ea invitabant Gracchumque orabant ut epulari permetteret militibus; et Gracchus ita permisit, si in publico epularentur omnes ante suas quisque fores. prolata omnia. pilleati aut lana alba velatis capitibus volones epulati sunt, alii accubantes, alii stantes, qui simul ministrabant vescebanturque. digna res visa ut simulacrum celebrati eius diei Gracchus, postquam Romam rediit, pingi iuberet in aede Libertatis quam pater eius in Aventino ex multatitia pecunia faciendam curavit dedicavitque.

He then gave the signal to pack baggage, and the soldiers carrying and driving their booty returned with sport and mirth so gaily to Beneventum that they seemed to be returning from a feast on a day of general festivity, not from a battle. All the people of Beneventum, having come out *en masse* to the gates to meet them, embraced the soldiers, congratulated them, invited them into their houses. Feasts had been made ready by all in the atria of their houses. To these they invited the soldiers and implored Gracchus to allow the soldiers to feast. And Gracchus did permit them, provided they all feasted in the open, each before the door of his house. Wearing caps or white woollen headbands the volunteers feasted, some reclining, and some standing served and ate at the same time. This seemed to deserve the order Gracchus gave on his return to Rome for a representation of that day of festivity to be painted in the Temple of Liberty which his father, with money yielded by fines, caused to be built on the Aventine and dedicated.¹⁶

¹³ Liv. 22. 57. 11–12, 23. 35. 6–7, 24. 10. 3, 24. 14. 3–16. 19, 25. 6. 21–2, 25. 20. 4, 25. 22. 3–4, 26. 2. 9–11, 27. 38. 8, 27. 38. 10, 28. 10. 11, 28. 46. 13, 29. 5. 9, 34. 6. 12, 13, and 17–18. See also Val. Max. 7. 6. 1; Flor. 1. 22. 23, 1. 22. 30; Sil. 10. 643–6; Frontin. *strat.* 4. 7. 24; Eutr. 3. 10. 3; Macr. *Sat.* 1. 11. 30; Fest. p. 511 L; App. *Hann.* 27; Zonar. 9. 2.

¹⁴ See esp. Val. Max. 7. 6. 1; Sil. 10. 643–6; Flor. 1. 22. 30; Eutr. 3. 10. 3. It may legitimately be asked to what extent these sources reflect feelings at the time, but their evidence must at least be considered. Hunt (1998) 206–9 refers only to Livy.

¹⁵ Liv. 24. 14. 3–16. 19.

¹⁶ De Sanctis (1968) iii. 2. 249 and n. 118 argues that the claim at Liv. 24. 16. 12–13 that those 'volones' who did not show courage at Beneventum were ordered to eat standing up for the rest of the campaign is an annalistic embellishment based on misinterpretation of

Livy emphasizes the exuberant festivities of the slaves as they return from battle. Such scenes are frequently represented by Plautus, most notably in the *Persa*,¹⁷ *Pseudolus*,¹⁸ and *Stichus*.¹⁹ In the *Pseudolus*, the celebrations of the slave are cast as a triumph,²⁰ which effectively hijacks the birthday party which Ballio proclaims at the opening of the play,²¹ and will presumably totter on into the Dionysia which Calidorus anticipates for the following day.²² In the *Persa* and *Stichus*, the slaves are granted or grant themselves an Eleutheria, that is, a festival of freedom.²³ The *Epidicus*, which features one of the great tricksters and slave generals, closes with the formal manumission of its hero.²⁴ So much was there for all to see acted out on the comic stage. Had the same spectators chosen to wend their way home via the Temple of Liberty, they might have taken in a painting of an oddly similar scene: slave soldiers wearing the cap or the woollen headband of freedom, some reclining, some standing, all feasting, all playful and festive. This is the happy ending to the recruitment of the 'volones'. Even so, the sting, the fear of slaves in arms cannot but remain.

Playing Punic

In 54 BC, Cicero undertook the defence of M. Aemilius Scaurus on a charge of extortion while serving as propraetor of Sardinia. Numerous representatives of his former subjects came forward to testify against him. *Pro Scauro* 42 is Cicero's response to their evidence:

fallacissimum genus esse Phoenicum omnia monumenta vetustatis atque omnes historiae nobis prodiderunt. ab his orti Poeni multis Karthaginensium rebellionibus, multis violatis fractisque foederibus nihil se degenerasse

the seated and standing slaves on the painting at Liv. 24. 16. 18. There is, however, little to commend the claim of Welwei (1988) 9–10 that the painting did not depict events at Beneventum at all but rather a generalized scene of liberation.

¹⁷ Plaut. *Persa* 753–858; Woytek (1982) 30–3.

¹⁸ Plaut. *Pseud.* 1246–1335.

¹⁹ Plaut. *Stich.* 641–775; Petersmann (1973) 30–2.

²⁰ Plaut. *Pseud.* 1051.

²¹ Plaut. *Pseud.* 165.

²² Plaut. *Pseud.* 59 with Willcock (1987) ad loc.

²³ Plaut. *Persa* 29, *Stich.* 421–2. Williams (1968) 290 interprets the reference to the Eleutheria in the *Persa* as a reference to the festival of Zeus Eleutherios in commemoration of Plataea which Plautus has drawn directly from his original without any concern to render it intelligible to his audience. I would argue, however, that Toxilus engages in a self-consciously Greek festival of personal freedom in the absence of his master, and that this has no more need to refer to a specific Greek festival than does the reference to the Alcedonia at Plaut. *Cas.* 26. For developments of the Eleutheria across time, see Petersmann (1973) at Plaut. *Stich.* 421–2.

²⁴ Plaut. *Epid.* 730, 732, cf. *Mil.* 1193–4.

docuerunt. a Poenis admixto Afrorum genere Sardi non deducti in Sardiniam atque ibi constituti, sed amandati et repudiati coloni.

All the records and histories of past ages have established for us the tradition that the Phoenicians are the most deceitful of nations. The Poeni, their offshoots, proved by the many warlike outbreaks of the Carthaginians, and by their repeated violation and infringement of treaties, that they had not degenerated from their forefathers. The Sardinians, who are sprung from the Poeni with an admixture of African blood, were not planted in Sardinia and settled there, but rather marooned there as undesirables.

If the Phoenicians therefore are the most deceitful race on earth, what trust can be placed in the words of Sardinians, who share their blood but actually surpass them in villainy? Case closed. This construction of Punic character is commonplace in Cicero,²⁵ and indeed, as his reference to the records and histories of antiquity implies, in Latin writing in general.²⁶ It is also a characteristic shared with the slave-hero of Roman comedy. Later in this chapter, therefore, I wish to question whether the explosion of tricksterism in the Plautine version of the comic slave can be taken as a manifestation of the Hannibalic moment. In short, is the slave as general a less securely Roman figure than might be imagined? For all his talk of auspices, legions, centuries, and triumphs, does his constant resort to every mode of intrigue reveal the characteristic methods of, and betray an obsession with, the great Punic enemy himself?

The earliest extant evidence for Roman views of Carthaginians stems from vv. 104–13 of the *Poenulus*.²⁷ Here already, however, the speaker of the prologue constructs his Carthaginian in terms of a stereotype with which he can count on his audience to be familiar:

sed pater illarum Poenus, postquam eas perdidit,
mari terraque usquequaque quaeritat.
ubi quamque in urbem est ingressus, ilico
omnes meretrices, ubi quisque habitant, invenit;
dat aurum, ducit noctem, rogitat postibi

²⁵ Cic. *off.* 1. 38, 1. 108, *inv.* 1. 71, *leg. agr.* 2. 95.

²⁶ For this unity of perspective, see Burck (1943) 300–1. This is a useful collection of material on Roman attitudes to Carthaginians, but note also p. 321 on cunning as ‘diesen so richtig erkannten semitischen Zug’. Good to know that Prof. Burck made his contribution to the war effort. For suggestions that the prejudicial view of the Phoenician as trickster is already present in Greek literature, see Prandi (1979). The material gathered in Dubuisson (1983) is disappointingly thin and the table and references at 166–7 occasionally misleading.

²⁷ Burck (1943) 301–3 examines images of the Carthaginian in early Latin literature but overlooks Plautus entirely.

unde sit, quoiatis, captane an surrupta sit,
 quo genere gnata, qui parentes fuerint.
 ita docte atque astu filias quaerit suas.
 et is omnis linguas scit, sed dissimulat sciens
 se scire: Poenus plane est. quid verbis opust?

But their Carthaginian father ever since they disappeared has kept searching for them everywhere by sea and land. On reaching any city, he at once hunts up all the harlots at their homes; he pays his money, hires one for the night, and then inquires where she is from, what country, whether she was captured in war or kidnapped, who her family and parents were. So cleverly and cunningly does he seek his daughters. He knows all languages too, but, knowing, dissembles his knowledge. A Carthaginian complete! Why say more?

Punic cunning is first emphasized through the *astutia* with which the father seeks his daughter.²⁸ And indeed there is an obvious cunning in turning one's dutiful search for lost kin into a grand tour of Mediterranean prostitution. The implication that Hanno may even risk sleeping with his own daughters perhaps finds some echo later on in the play in the salacious attitude he takes to the rediscovered Anterastilis and Adelphasium.²⁹ No less striking is the reference to the linguistic dexterity of the Carthaginian and his ability to dissimulate such abilities and it is this claim in particular which the rest of the play will develop.³⁰

Hanno enters the *Poenulus* only late on in the drama but his linguistic capabilities are exploited to comic effect from the off. For the entry monologue of the Carthaginian as transmitted in the manuscript

²⁸ Cf. Liv. 35. 14. 12 for Hannibal answering Scipio 'Punico astu'.

²⁹ Franko (1995*b*) and (1996) 429–30 interprets Plaut. *Poen.* 106–10 as implying that Hanno sleeps with all the prostitutes he encounters before asking them where they come from and cites *Poen.* 1217–18 and 1297 as examples of louche behaviour even after he knows that Anterastilis and Adelphasium are his daughters. However, the conviction that 'ducit noctem' can only mean 'spends the night' is unfounded. Although it has this sense at Verg. *georg.* 3. 379 and Prop. 4. 6. 85, Maurach (1988) at v. 108 is surely right to point to the passages collected at *TLL* 5. 1. 2143. 53–64 and translate 'ducit noctem' as 'hires a girl for the night'. On this reading, once Hanno has paid for the girl, he is free to sleep with her or to interrogate her as he pleases. Henderson (1999) 16–17 makes the same assumptions as Franko.

³⁰ Opelt (1966) 438–42 suggests that Plaut. *Poen.* 112–13 contradicts 106–11, in that the earlier lines suggest frank questioning rather than secret overhearing, and argues that the 'et' with which 112 opens is lame. She therefore suggests that vv. 112–13, 930–49, and 982–1038 are inauthentic interpolations stemming from a reperformance shortly before the Third Carthaginian War. However, though Opelt is probably right to suggest that vv. 112–13 point to a stereotypical, hostile view of Carthaginians, it is far less clear that vv. 982–1038 sustain rather than subvert this position. Moreover, even if these verses are all interpolations, this in no way detracts from their value as historical evidence or their contribution to the wit and intellectual complexity of the play.

tradition consists of two versions of the same speech in Punic (930–9 and 940–9) followed by its translation into Latin (950–60).³¹ This has provoked much speculation as to which of these three speeches is authentically Plautine but I would argue that there are good dramatic reasons to assume that one of the two Punic speeches was followed by the Latin: broad humour and the shock of exoticism are provided by Hanno's foreign garb and foreign tongue; necessary intelligibility and the reminder of the linguistic dexterity with which the prologue credits him emerge through the Latin.³²

The establishment that Hanno has a full command of Latin makes immediate sense of the subsequent scene: the young Agorastocles and his servile henchman Milphio, whose machinations have dominated the early scenes of the play, return to the stage and Hanno is thrilled by the conversation he overhears.³³ In particular, he takes heart from the revelation that there are two freeborn, kidnapped Carthaginian girls in the vicinity and that Agorastocles is their fellow-countryman.³⁴ It is surely this discovery which prompts Hanno's resolution to address the pair in Punic but to switch to Latin should he receive no reply.³⁵ Before, however, he can put his plan into action, he is privy to a further significant revelation: Agorastocles and Milphio confer as to how to

³¹ Opelt (1966) 435 notes that, though the first Punic speech is absent from the Ambrosian palimpsest, it is deemed to contain a purer and older Punic.

³² For a similar view, see Starks (2000) 170. Gratwick (1971) 32–5 suggests that the Latin version of the monologue at 950–60 is dramatically unnecessary and that all essential information can be inferred by the audience on the strength of costume, appearance, gesture, the reference to Antidamas at vv. 934 and 944, and of what they have previously learned. By contrast, Zwierlein (1990) 178–93 deletes both Punic monologues on the grounds that they are incompatible with the Latin soliloquies of Hanno at 967–70, 982–4 and 988–9 and that they are not as readily intelligible as Gratwick hopes; he further removes 952–4 from the Latin monologue on account of what he sees as an uneasy link to 950–1 and the problem that Hanno is nowhere else described as searching for his nephew. I am in no position to judge between the two Punic versions of the monologue but would argue strongly for the retention of either 930–9 or 940–9 followed by 950–60 for the reasons given above. The fact that Hanno's further asides are only in Latin is a matter of simple dramatic economy.

³³ Plaut. *Poen.* 961–70.

³⁴ Plaut. *Poen.* 962–3, 'ingenuas ambas surrupticias | Carthaginiensis', cf. 965 'tuas . . . popularis'. The Carthaginian origins of Agorastocles perhaps also colour his exchange with Milphio at Plaut. *Poen.* 975–80: the slave thinks that he looks like a bird and calls him a 'gugga'; the master just recognizes him as a Punic.

³⁵ Plaut. *Poen.* 982–4. Zwierlein (1990) 184–5 argues for the deletion of 982–4 on the grounds that these lines should introduce an immediate approach on the part of Hanno when in fact he remains a passive listener for another 10 lines save for a further Latin aside at 988–9 and that they sound stiff and naïve. They are, however, fully motivated by what he has learnt from 961–81 and the failure immediately to follow through the resolution may be explained by what he now overhears at 985–7.

communicate with him and Agorastocles is forced to confess that he was stolen from Carthage at the age of 6 and has no memory of his mother-tongue.³⁶ The Carthaginian shudders to hear a sadly familiar tale.³⁷ The slave, unabashed, offers to address the stranger in Punic,³⁸ and, when asked whether he knows any of the language, replies that no Punic is more Punic than him today (*nullus me est hodie Poenus Poenior*).³⁹

The scene has now reached a crucial turning point. While Milphio's last claim might suggest that he is an expert in Punic, his true abilities are rather more limited: he offered to address the Carthaginian and the one word of Punic he turns out to know is precisely the address *avo*.⁴⁰ The rest of the question which Agorastocles bids Milphio put to Hanno is necessarily delivered in Latin, and this should perhaps warn Hanno not to expect much from his interlocutor.⁴¹ Yet he chooses to reply in Punic and continues to do so until the shameless incompetence of the translations which Milphio supplies to Agorastocles prompts the following angry exchange, *Poenulus* 1029–38:

HANN. at ut scias, nunc dehinc latine iam loquar.
 servom hercle te esse oportet et nequam et malum,
 hominem peregrinum atque advenam qui inrideas.
 MIL. at hercle te hominem et sycophantam et subdolum,
 qui huc advenisti nos captatum, migdilix,
 bisulci lingua quasi proserpens bestia.
 AG. maledicta hinc aufer, linguam compescas face.
 maledicere huic tu temperabis, si sapis.
 meis consanguineis nolo te iniuste loqui.
 Carthagini ego sum gnatus, ut tu sis sciens.

HANN. Well, so that you may understand it, I shall now speak Latin for the future. A good-for-nothing rascal of a slave you must be, by gad, to make fun of a gentleman and a stranger here.

MIL. Well, by Hercules, and a swindling sharper of a gentleman you must be, to come here to trap us, you migsture, with a two-forked tongue like a creeping beast.

AG. None of your insults! Control that tongue of yours! You'll refrain from insulting this gentleman if you are wise. I won't hear you abusing men of my own blood. I am a native of Carthage myself, sir, I may inform you.

³⁶ Plaut. *Poen.* 985–7.

³⁷ Plaut. *Poen.* 988–9.

³⁸ Plaut. *Poen.* 990 'vin appellem hunc Punice?'

³⁹ Plaut. *Poen.* 991.

⁴⁰ See *OLD* p. 150, s.v. 'appello' 1 = 'address'. If the theory is indeed correct that Romans grew so familiar with Punic *avo* to coin their own greeting *ave* from it, this will not strike anyone as a remarkable level of proficiency. See *OLD*, p. 210, s.v. 'ave'.

⁴¹ Plaut. *Poen.* 994: 'avo. quoiates estis aut quo ex oppido?'

This passage develops a number of important issues. In particular, it must be noted that it was Milphio who instituted the exchanges which have just broken down and that he did so in Punic first and Latin second. One might indeed ask why Hanno does not reply in Latin but the implications of his indignation are that he was led to believe that Milphio genuinely could communicate in Punic only to be infuriated by the slave's impertinent mistranslations of his words. Milphio in turn, on discovering that the stranger is indeed a Latinist, immediately falls back on a number of insults which echo the warnings of the prologue: the Carthaginian, he infers, has deliberately disguised his knowledge of Latin in order to perpetrate a trick. To any reader of the *Aeneid*, the attack on Hanno as with a two-forked tongue like a creeping beast (*bisulci lingua quasi proserpens bestia*) has obvious resonances. Yet where Vergil's Venus fears the sly house and fork-tongued Tyrians (*domum . . . ambiguum Tyriosque bilinguis*), stereotypical Punic perfidy is clearly the issue and bilingualism as such irrelevant.⁴² In this instance, however, the one is perceived as the vehicle for the other.⁴³ This is an important matter and one which deserves further examination.

Commentators on *Poenulus* 112–13 do little more than refer to the general category of *Punica fides*. That these lines allude to this particular Roman prejudice is first asserted by Jachmann,⁴⁴ and little has been added to the picture since.⁴⁵ Yet, to the extent that *Punica fides* is just a synonym for *perfidia*, it can only speak effectively for the implication that the Carthaginian is a dissimulator. The specific issue of linguistic dexterity is ignored. However, further investigation of Roman experience in the Second Punic War suggests a more pointed reference. Let me begin with a passage from Zonaras, the Byzantine epitomator of Cassius Dio.⁴⁶ Zonaras 8. 24 describes the tactics employed by Hannibal at the start of his campaign in order to check on the attitudes of his polyglot and potentially fissiparous forces:

ὑποπτεύων δὲ καὶ τοὺς σφετέρους οὐδενὶ ραιδίως ἐπίστευεν, ἀλλὰ τὴν ἐσθῆτά τε μεταβάλλων καὶ κόμαις χρώμενος περιθέτοις τὴν τε διάλεξιν ἄλλοτε ἄλλην ποιούμενος (ἦιδει γὰρ πλείους καὶ τὴν τῶν Λατίνων), καὶ νύκτωρ καὶ μεθ'

⁴² Verg. *Aen.* 1. 661. See Horsfall (1973–4) 5.

⁴³ The insult can also be applied in Plautus in contexts where bilingualism is irrelevant. See e.g. Plaut. *Persa* 299 where it is used of the sharp-tongued Paegnum or *Truc.* 781 where Callicles is determined not to be deceived by his maid.

⁴⁴ Jachmann (1931) 200.

⁴⁵ See e.g. Maurach (1988) ad loc.; Prandi (1979) 90; Segal (1987) 38, Zwierlein (1990) 184.

⁴⁶ For Dio and Zonaras, see Millar (1964) 2–3.

ἡμέραν πολλὰ ἐπεσκοπεῖ ἤκουε τε πλείστα ὥς οὐκ Ἀννίβας καί τινα ὥς ἑτερός τις ἐφθέγγετο.

And suspecting his own men too, he trusted none easily, but changing his clothes and using a wig and varying the language he spoke from occasion to occasion (for he knew many, including that of the Latins), both by night and by day he would spy on many things and hear very many things pretending not to be Hannibal and would address a man in the guise of someone else.

The reference to costume change and fake wigs goes back at least as far as Polybius and it is at least striking that so skilled a practitioner of the theatre of disguise should be at work in Italy so few years before Plautus will make the same motif a central ingredient in the intrigue of the *Curculio*, *Persa*, *Trinummus*, *Miles Gloriosus*, and others.⁴⁷ More unusual is the reference to the ability of Hannibal himself as a Latinist and the exploitation of this gift in order to spy on his men.⁴⁸ However, this claim recurs at Zonaras 9. 9 and this time in a context where it can be paralleled in the wider tradition. Zonaras begins with the death of Marcellus, victim of a characteristic Punic ambush, of which more later. As in Livy and others, Hannibal seizes the signet ring of the fallen general and uses it to trick his way into a number of Italian cities. It is almost as if he has seen the *Curculio*.⁴⁹ Note now how Hannibal exploits his own knowledge of Latin and that of his allies in order to impersonate his victim:

οἱ δ' ἐν τῇ Ἰταλίᾳ καὶ ἐκ νόσου ἐπόνησαν καὶ μάχαις ἐταλαιπώρησαν, Τυρσηγῶν νεωτερισάντων τινῶν. μείζον δὲ τῶν ἄλλων αὐτοὺς ἐλύπησεν ὅτι τὸν Μάρκελλον ἀπέβαλον. ἐπιστρατεύσαντες γὰρ κατὰ τοῦ Ἀννίβου τυγχάνοντος ἐν Λοκροῖς καὶ ἄμφω οἱ ὕπατοι περιστοιχισθέντες ἐξ ἐνέδρας ὁ μὲν Μάρκελλος αὐτίκα ἀπώλετο, Κρισπῖνος δὲ τρωθεὶς ἀπέθανεν οὐ μετὰ πολὺ. εὐρηκῶς δὲ τὸ τοῦ Μαρκέλλου σῶμα ὁ Ἀννίβας, καὶ τὸν δακτύλιον αὐτοῦ εἰληφῶς ὧι ἐκείνος τὰς γραφὰς ἐπεσφράγιζε, γράμματα ἐς τὰς πόλεις ὥς παρ' ἐκείνου στελλόμενα ἔπεμπε, καὶ ὅσα ἐβούλετο διεπράττετο· μέχρις οὗ τοῦτο γνοὺς ὁ Κρισπῖνος ἀντιπαρήγγειλεν αὐτοῖς φυλάσσεσθαι· ὅθεν ἀντιπεριέστη τῷ Ἀννίβῃ τὸ

⁴⁷ Plb. 3. 78. 1–4; Liv. 22. 1. 3; App. *Hann.* 6. Segal (1987) 38 notes Hannibal's employment of disguise. For the role of disguise in Plautus, see Muecke (1986).

⁴⁸ Liv. 22. 13. 6, cf. Plu. *Fab.* 6. 1–2 implies that Hannibal was a less than perfect Latin linguist. Rochette (1997) 158 and n. 39 argues on the basis of Liv. 30. 30. 1 that Hannibal probably knew no Latin but does not comment on the Zonaras passage or its relationship to Polybius.

⁴⁹ Plaut. *Curc.* 345–8, 360–1, 365, 369–70, 423–4, 549–50, 585. For signet rings and intrigue, see also Plaut. *Mil.* 771–3, 797–8, 800–1, 912–13, 930–2, 957–60, 988, 1017, 1048–9.

πράγμα. ἐπεὶ γὰρ τοῖς ἐν τῇ Σαλπία δι' αὐτομόλου δῆθεν ἦν ἐπιστείλας, ὡς ὁ Μάρκελλος νυκτὸς προσήει τοῖς τείχεσι, τῇ τε τῶν Λατίνων κεχρημένος φωνῇ σὺν ἄλλοις ἐπισταμένοις αὐτὴν, ἵνα Ῥωμαῖοι δόξωσιν εἶναι. μαθόντες δὲ οἱ Σαλπηνοὶ τὴν ἐπιτέχνησιν αὐτοῦ ἀντετεχνήσαντο πιστεύειν ὄντως προσιέναι τὸν Μάρκελλον, καὶ ἀνασπάσαντες τὸν καταρράκτην εἰσγάγον ὅσους αὐτοῖς ἱκανοὺς ἔδοξεν εἶναι κατεργασθῆναι παρ' αὐτῶν, καὶ πάντας ἀπέκτειναν. ὁ δὲ Ἀννίβας ἀπῆρεν αὐτίκα, μαθὼν τοὺς Λοκροὺς πολιορκουμένους ὑπὸ Ῥωμαίων ἐκ Σικελίας ἐπιπλευσάντων.

The people in Italy not only suffered from disease, but also encountered hardships in battles, since some of the Etruscans had rebelled. But what grieved them more than all else was their loss of Marcellus. For both the consuls, having undertaken a campaign against Hannibal, who was at Locri, had been surrounded by an ambush, and Marcellus had perished instantly, while Crispinus had been wounded and died not long after. Hannibal found the body of Marcellus, and taking his ring with which Marcellus was accustomed to seal his documents, he forwarded letters to the cities purporting to come from Marcellus. He was accomplishing whatever he pleased, until Crispinus became aware of it and sent them a warning to be on their guard. As a result of this the tables were turned upon Hannibal. He had sent a message to the citizens of Salapia through a pretended deserter, and now approached the walls in the guise of Marcellus, using the Latin language in company with other men who understood it, in order to be taken for Romans. The Salapians, informed of his artifice, were artful enough in their turn to pretend that they believed Marcellus was really approaching. Then drawing up the portcullis they admitted as many as it seemed to them they could conveniently dispose of, and killed them all. Hannibal withdrew at once on learning that Locri was being besieged by the Romans, who had sailed against it from Sicily.

Livy and Appian both have Hannibal dress Latin speakers as Romans at Capua,⁵⁰ and tell much the same story of the ring of Marcellus and the attempt on Salapia.⁵¹ It seems likely that it is to the memory of precisely such devices that the prologue-speaker alludes in sketching out his perfect Carthaginian. This points to a significant intersection between the figure of Hannibal in Roman tradition and the assumptions about Carthaginians which underpin the representation of Hanno in the *Poenulus*. As I have hinted, there is also a case to be made

⁵⁰ Liv. 26. 6. 11, esp. 'habitu Italico gnari Latinae linguae'; App. *Hann.* 41; Frontin. *strat.* 3. 2. 3. See also Rochette (1997) 157.

⁵¹ For Hannibal's acquisition of the ring of Marcellus and its exploitation in intrigue, see Liv. 27. 28. 3–6; App. *Hann.* 50–1. For the use of deserters and Latin-speakers, see Liv. 27. 28. 7 and 27. 28. 9, where 'Latine omnes loquentes' are placed in the front line of the column as Hannibal approaches Salapia. App. *Hann.* 51 has him approach Salapia with Numidians dressed in Roman arms. See also Frontin. *strat.* 4. 7. 38.

for a broader link between Hannibalic tactics and the standard modes of intrigue in Plautine comedy.

When Milphio launches into his torrent of abuse, Agorastocles is quick to rebuke him and to assert his own Carthaginian descent. This is important and corresponds to the oddly liberal approach adopted by Plautus in this play, making heroes out of Carthaginians and subverting the prejudices with which both characters and audience may be inclined to view Hanno. So much is commonly agreed.⁵² Yet there is another crucial point to make. When Milphio agrees to try his Punic on Hanno with the claim *nullus me est hodie Poenus Poenior*, his words refer to much more than language. Indeed, up to this point in the comedy, Milphio has spoken not a word of Punic. The only way in which he has been acting Punic ‘today’ has been by his persistent engagement in deception and intrigue. The words with which Agorastocles enters at the close of the prologue define Milphio as a standard wily slave of long and conspicuous service,⁵³ and he is soon unleashing all his *malitia*, all his *fallaciae*, all his powers of *consilium* in the plot against the pimp.⁵⁴ The implications of my analysis are further borne out by the continuation of the drama. For the very vices which the outraged Milphio attributes to Hanno at 1032–4—sharper, swindler, snake—become virtues once the Carthaginian is adopted as an ally at 1089–91:

MIL. potin tu fieri subdolos?

HANN. inimico possum, amico insipientia est.

MIL. inimicus hercle est huius. HANN. male faxim lubens.

MIL. Can you become sharp?

HANN. With an enemy, yes; with a friend it’s foolish.

MIL. He’s an enemy of master’s, by Hercules.

HANN. I should enjoy damaging him.

When Milphio goes on to suggest that Hanno pretend that Adelphasium and Anterastilis are two daughters he lost from Carthage when young and whom he is seeking, he interprets the pang of emotion with which the latter is seized as proof positive of his genius as a trickster:

MIL. eu hercle mortalem catum,

* malum crudumque, estolidum et subdolum.

⁵² This point is stressed by Perna (1955) 74, 182; Delcourt (1964) 217; Gratwick (1982) 94; Pansiéri (1997) 462–3; Leigh (2000) 291–2; Starks (2000) 164–5, 175–7, 181–2.

⁵³ Plaut. *Poen.* 129–32.

⁵⁴ Plaut. *Poen.* 160–2, 180, 187–8, 193–5, 200–2, 424–6, 547–9, 576–7, 580–1, 787–8, 817, 856, 866.

ut adflet, quo illud gestu faciat facilius.
me quoque dolis iam superat architectonem.

MIL. Well, by Hercules, what a sly one, what a hardened rascal, unstolid, and sharp! Look at him weeping, so as to take his role more realistically! Here he is, he beats even me, the chief architect, at tricks.⁵⁵

A major issue in this play, therefore, is the fun of 'acting Punic' and the essence of such behaviour is tricksterism. Obviously, the very title of the play inclines playwright, characters, and audience to a more direct reflection on Punic ethnicity than is the case elsewhere in Plautus' œuvre.⁵⁶ Yet the link made at 991 between acting Punic and the characteristic mode of the wily slave is suggestive for the broader experience of Plautine theatre and for the specific historical moment at which Plautus made perhaps his most significant intervention in the texts of the originals which he adapted.⁵⁷ This forms the theme of the rest of this chapter.

Fighting like a Roman

The preceding section of this argument offered a preliminary examination of stereotypical Roman views of Carthaginian ethnicity and demonstrated the exploitation of just such views in the *Poenulus* of Plautus. It further illustrated the importance of Hannibal in the creation of these stereotypes: the perfect Carthaginian of the *Poenulus* operates in a manner peculiarly reminiscent of the tactics which our sources attribute to Hannibal in the Italian campaign.

If we know what it is to play Punic, the same period also betrays considerable evidence of an attempt to construct Roman character through Roman military conduct, and Plautus is as involved in this as

⁵⁵ Plaut. *Poen.* 1107–10. The adjectives recall the praises heaped on Milphio by Agorastocles at the very start of the drama. Plaut. *Poen.* 131 praises all that he has done 'sapienter, docte et cordate et cate'. For the pang of emotion and the similarity between this scene and Men. *Sik.* 343–60, see Gratwick (1982) 101–3. Gratwick treats this as evidence of Plautine 'contaminatio'; it certainly suggests that the comic gag or routine is an important unit of composition for Plautus.

⁵⁶ The joke at Plaut. *Cas.* 67–78 turns on the assumption that all Greeks, Apulians, and Carthaginians are liars. The overlap between Greek and Punic ethnicity is a significant issue in this chapter.

⁵⁷ Franko (1994) 155 comes at the problem from the other direction when noting that an audience confronted with the title *Poenulus* 'given the features of the genre, the reputation of Plautus, and the bad connotations of the root *Poenus* . . . must have expected another Pseudolus or Epidicus'.

anyone. Consider, for instance, *Cistellaria* 197–8. Here, shortly before wishing the audience success against the Carthaginians, the prologue speaker urges:

bene valete et vincite
virtute vera, quod fecistis antidhac.

Farewell, and win with true virtue, as you have done up to now.

Likewise, at *Casina* 87–8, the prologue closes with the following address to the audience:

valete, bene rem gerite et vincite
virtute vera, quod fecistis antidhac.

Farewell, fight well and win with true virtue, as you have done up to now.

In both these cases, therefore, Plautus credits the Romans out there in the theatre with the quality of *virtus vera*, and, in the case of the *Cistellaria*, the strong implication is that it is this quality which distinguishes them from their Carthaginian foes. Nor do we lack contemporary evidence for what the Romans might mean when they claim for themselves this particular quality. For an apt summary is provided in Ennius, *Scaenica* 254–7 (Jocelyn). These lines stem from the *Phoenix* and appear to be spoken by the hero Achilles' wise old teacher:

sed virum vera virtute vivere animatum addece⁵⁸
fortiterque innoxium stare⁵⁹ adversum adversarios.
ea libertas est qui pectus purum et firmum gestitat;
aliae⁶⁰ res obnoxiosae nocte in obscura latent.

But it behoves a man to live a life inspired with virtue true, to stand steadfast with guiltless bravery in the face of foes. The man who bears his breast both pure and staunch—that is true liberty. All conduct else lies lurking in dim darkness, fraught with guilt.

⁵⁸ 'animatum adiecit' VPR; '+animatum adiecit+' Jocelyn; 'animatum addece' Carrio, Marshall.

⁵⁹ 'innoxium vocare' VPR; '+innoxium vocare+' Jocelyn; 'innoxium + vocare' Marshall; 'innoxium stare' Bentley. My acceptance of the emendations of Carrio and Bentley is based on the important parallels at Plaut. *Pseud.* 458–61 cf. *Capt.* 664–6. At Plaut. *Pseud.* 458, Simo comments on the 'statum . . . basilicum' of his slave and Callipho replies at 459 that 'bene confidenterque adstittisse intellego'. Pseudolus then states loftily at 460–1 that 'deceat innocentem servom atque innoxium | confidentem esse, suom apud erum potissimum'. Both Willcock (1987) at Plaut. *Pseud.* 458–61 and Lindsay (1900) at Plaut. *Capt.* 664–6 note the almost exact parallel for this exchange in the *Captivi* but neither notes the possible parody of Ennian tragic language which this implies. The kingly stance of Pseudolus at Plaut. *Pseud.* 458 suggests the grand manner of tragedy.

⁶⁰ 'aliae' VPR; Marshall; '+aliae+' Jocelyn.

True virtue stands its ground. Facing down the enemy, always looking forward, it has no need of the dynamic movement and covert operations of the trickster.⁶¹ It is an appropriate virtue for the Roman legion and its collective determination to hold the line.⁶²

Plautus is careful to credit his audience with particular characteristics. Crucially, these are characteristics which can best find expression—individually and collectively—in battle and as a result of the tactical decisions of the nation's generals. Moreover, in doing so he seems to touch on what other sources for the period suggest to have been an acutely contemporary concern. Three passages, in particular, stand out and these must first be set out before the relationship between them is assessed. The first is Polybius 13. 3. 1–8, in which the historian describes the tactics of Philip of Macedon c.205–204 BC, then contrasts them with Rome's unusual dedication to the ways of old:

ἐγένετο περὶ τὴν τοιαύτην κακοπραγμοσύνην, ἣν δὴ βασιλικὴν μὲν οὐδαμῶς οὐδεὶς ἂν εἶναι φήσειεν, ἀναγκαίαν δὲ βούλονται λέγειν ἔνιοι πρὸς τὸν πραγματικὸν τρόπον διὰ τὴν νῦν ἐπιπολάζουσαν κακοπραγμοσύνην. οἱ μὲν γὰρ ἀρχαῖοι πολὺ τι τοῦ τοιοῦτου μέρους ἔκτος ἦσαν· τοσοῦτο γὰρ ἀπηλλοτρίωντο τοῦ κακομηχανεῖν περὶ τοὺς φίλους χάριν τοῦ τῷ συναύξειν τὰς σφετέρας δυναστείας, ὥστ' οὐδὲ τοὺς πολέμιους ἡμιροῦντο δι' ἀπάτης νικᾶν, ὑπολαμβάνοντες (οὐδέν) οὔτε λαμπρὸν οὐδὲ μὴν βέβαιον εἶναι τῶν κατορθωμάτων, ἔαν μὴ τις ἐκ τοῦ προφανοῦς μαχόμενος ἡττήσῃ ταῖς ψυχαῖς τοὺς ἀντιταττομένους. διὸ καὶ συνετίθεντο πρὸς σφᾶς μήτ' ἀδύλοις βέλεσι μήτ' ἐκηβόλοις χρῆσασθαι κατ' ἀλλήλων μόνην δὲ τὴν ἐκ χειρὸς καὶ συστάδην γινομένην μάχην ἀληθινὴν ὑπελάμβανον εἶναι κρίσιν πραγμάτων. ἦ καὶ τοὺς πολέμους ἀλλήλοις προύλεγον καὶ τὰς μάχας, ὅτε πρόθοντο διακινδυνεύειν, καὶ τοὺς τόπους (εἰς) οὓς μέλλοιεν ἐξιέναι παραταξόμενοι. νῦν δὲ καὶ φαύλου φασὶν εἶναι στρατηγοῦ τὸ προφανῶς τι πράττειν τῶν πολεμικῶν. βραχὺ δέ τι λείπεται παρὰ Ῥωμαίοις ἔχνος ἔτι τῆς ἀρχαίας αἰρέσεως περὶ τὰ πολεμικά· καὶ γὰρ προλέγουσι τοὺς πολέμους καὶ ταῖς ἐνέδραις σπανίως χρώνται καὶ τὴν μάχην ἐκ χειρὸς ποιοῦνται καὶ (συ)στάδην. ταῦτα μὲν οὖν εἰρήσθω πρὸς τὸν ἐπιπολάζοντα νῦν ὑπὲρ τὸ δέον ἐν τῇ κακοπραγμοσύνῃ ζῆλον περὶ τοὺς ἡγουμένους ἔν τε ταῖς πολιτικαῖς καὶ πολεμικαῖς οἰκονομίαις.

⁶¹ For the two modes contrasted, see Liv. 35. 4. 7, where the Gauls are driven to the plain and can no longer employ ambush: 'idem et Galli fecerunt, postquam apertas esse *insidias* et recto ac iusto proelio, ubi *vera* vinceret *virtus*, dimicandum viderunt.' For examples from various authors of the closely related antithesis between 'dolos' or 'insidiae' and 'vis aperta', see Oakley (1998) at Liv. 8. 36. 9.

⁶² Jocelyn (1967) 390 compares Verg. *Aen.* 12. 694–5 and acutely suggests that 'vera virtus' should be understood not as 'true, genuine *virtus*' but as '*virtus* accompanied by a sense of fair-dealing'. He notes that the phrase becomes 'a cliché of Roman public moralising' and, in addition to the Plautus passages quoted above, cites Cic. *Pis.* 57; Liv. 4. 31. 5, 24. 14. 6; Hor. *cam.* 3. 5. 29, *epist.* 1. 1. 17, 1. 18. 8.

Philip became addicted to that kind of treacherous dealing, which no one indeed would say in any way became a king but which some maintain to be necessary in practical politics, owing to the present prevalence of treachery. The ancients, as we know, were far removed from such malpractices. For so far were they from plotting mischief against their friends with the purpose of aggrandizing their own power, that they would not even consent to get the better of their enemies by fraud, regarding no success as brilliant or secure unless they crushed the spirit of their adversaries in open battle. For this reason they entered into a convention among themselves to use against each other neither secret missiles nor those discharged from a distance, and considered that it was only a hand-to-hand battle at close quarters which was truly decisive. Hence they preceded war by a declaration, and when they intended to do battle gave notice of the fact and of the spot to which they would proceed and array their army. But at the present time they say it is a sign of poor generalship to do anything openly in war. Some slight traces, however, of the ancient principles of warfare survive among the Romans. For they make declaration of war, they seldom use ambushes, and they fight hand-to-hand at close quarters. These reflections are occasioned by the excessive prevalence among our present leaders both in the conduct of public affairs and in that of war of a keenness for treacherous dealing.

According to Polybius, old-time generals shunned deceit and covert operations in favour of a frank declaration of hostilities and a straight fight on open ground. Only in the Romans does a trace of the antique mentality endure: war is declared, ambushes are kept to a minimum, fighting is hand-to-hand.

The second passage derives from the same historian's account of Greek attitudes to Rome's resumption of hostilities against Carthage in 150–149 BC and emphasizes the distress of one group at the Romans' failure to live up to their previous standards, Polybius 36. 9. 9–11:

ἑτεροι δὲ καθόλου μὲν πολιτικὸν εἶναι τὸ Ῥωμαϊκὸν ἔθνος ἔφασαν καὶ τοῦτ' ἴδιον εἶναι καὶ ἐπὶ τούτῳ σεμνύνεσθαι τοὺς Ῥωμαίους, ἐπὶ τῷ καὶ τοὺς πολέμους ἀπλῶς καὶ γενναίως πολεμεῖν, μὴ νυκτεριναῖς ἐπιθέσεσι χρωμένους μηδ' ἐνέδραις, πᾶν δὲ τὸ δι' ἀπάτης καὶ δόλου γινόμενον ἀποδοκιμάζοντας, μόνους δὲ τοὺς ἐκ προδῆλου καὶ κατὰ πρόσωπον κινδύνους ὑπολαμβάνοντας αὐτοῖς καθήκειν. νῦν δὲ πάντα περὶ τοὺς Καρχηδονίους δι' ἀπάτης καὶ δόλου κεχειρικέναι, κατὰ βραχὺ τὸ μὲν προτείνοντας, τὸ δ' ἐπικρυπτομένους, ἕως οὗ παρείλαντο πάσας τὰς ἐλπίδας τοῦ βοηθεῖν αὐτοῖς τοὺς συμμάχους. τοῦτο δὲ μοναρχικῆς πραγμαστοποιίας οἰκεῖον εἶναι, μᾶλλον ἢ πολιτικῆς καὶ Ῥωμαϊκῆς αἰρέσεως καὶ προσεοικὸς ἀσεβήματι καὶ παρασπονδήματι κατὰ τὸν ὀρθὸν λόγον.

Others said that the Romans were, generally speaking, a civilized people, and that their peculiar merit on which they prided themselves was that they conducted their wars in a simple and noble manner, employing neither night attacks nor ambushes, disapproving of every kind of deceit and fraud, and considering that nothing but direct and open attacks were legitimate for them. But in the present case, throughout the whole of their proceedings in regard to Carthage, they had used deceit and fraud, offering certain things one at a time and keeping others secret, until they cut off every hope the city had of help from her allies. This, they said, savoured more of a despot's intrigue than of the principles of a civilized state such as Rome, and could only be justly described as something very like impiety and treachery.

The implication is that Rome has taken on the characteristics attributed to Philip and has lost the qualities which made her unique.

Livy 42. 47. 1–9 engages with a similar problem. Here, Q. Marcus Philippus and Aulus Atilius Serranus return to Rome from their 172–171 BC embassy to Greece and Macedonia and, granted an address to the senate on the Capitol, preen themselves on having tricked Perseus into a truce.⁶³ Yet Livy 42. 47. 4–9 notes the hostility to such procedures of certain older members of the senate and their claim that they are incompatible with the 'Roman arts'. These senators explicitly associate such cunning with Greeks and Carthaginians and define the true Roman way as the employment of *virtus vera*:

haec ut summa ratione acta magna pars senatus approbat; *veteres et moris antiqui memores negabant se in ea legatione Romanas agnoscere artes. non per insidias et nocturna proelia, nec simulatam fugam improvisosque ad incautum hostem reditus, nec ut astu magis quam vera virtute gloriarentur, bella maiores gessisse: indicare prius quam gerere solitos bella, denuntiare etiam interdum pugnam et locum finire, in quo dimicaturi essent. eadem fide indicatum Pyrrho regi medicum vitae eius insidiantem; eadem Faliscis vinctum traditum proditorem liberum; religionis haec Romanae esse, non versutiarum Punicarum neque calliditatis Graecae, apud quos fallere hostem quam vi superare gloriosius fuerit. interdum in praesens tempus plus profici dolo quam virtute; sed eius demum animum in perpetuum vinci, cui confessio expressa sit se neque arte neque casu, sed collatis comminus viribus iusto ac pio esse bello superatum. haec seniores, quibus nova ac nimis callida minus placebat sapientia; vicit tamen ea pars senatus, cui potior utilis quam honesti cura erat, ut comprobaretur prior legatio Marci, et eodem rursus in Graeciam cum *** quinquere milibus remitteretur iuberetque cetera uti e re publica maxime visum esset agere.*

⁶³ Liv. 42. 47. 1, 'nulla re magis gloriarentur quam decepto per indutias et spem pacis rege'.

These actions a large part of the senate approved as having been done with great wisdom; the older men and those mindful of ancient custom said they did not recognize in this embassy the arts of Rome. 'Not by ambushes and battles by night,' they thought, 'nor by pretended flight and unexpected return to an enemy off his guard, nor in such a way as to boast of cunning rather than real bravery, did our ancestors wage war; they were accustomed to declare war before they waged it, and even at times to announce a battle and specify the place in which they were going to fight. With the same straightforwardness the information was given to King Pyrrhus that his physician was plotting against his life; in the same way the betrayer of their children was delivered bound to the Faliscans; these are the acts of Roman scrupulousness, not of Carthaginian artfulness nor of Greek slyness, since among these peoples it has been more praiseworthy to deceive an enemy than to conquer by force. Occasionally a greater advantage is gained for the time being by trickery than by courage, but final and lasting conquest of the spirit overtakes one from whom the admission has been extorted that he has been conquered, not by craft or accident, but by the hand-to-hand clash of force in a proper and righteous war.' Thus the older men who were less well pleased by the new and over-sly wisdom; however, that part of the senate to whom the pursuit of advantage was more important than that of honour, prevailed to the effect that the previous embassy of Marcius should be approved, and he should be sent back again to Greece with * quinquereines and instructed to conduct further affairs as might seem best to serve the state.⁶⁴

It is evident that the passages under consideration have many features in common. Not least amongst these is their source, for scholars have little hesitation in identifying the Polybian tone of the debate in Livy and assigning it to book 27 of the *Histories*;⁶⁵ the degree to which the passage is also profoundly Livian and represents a crucial juncture in the overall development of his work is less frequently observed.⁶⁶ What

⁶⁴ Cf. Liv. 42. 52. 8 where Perseus complains of the deceptive negotiations ('fallaci . . . colloquio') by which the Romans had drawn out the winter and won time in order to strengthen their forces. For a further account of this debate, cf. D.S. 30. 7, esp. the statement that the oldest senators disapproved of what had happened and argued that it was unfitting for Romans to imitate Carthaginians and overcome the foe by deceit and not by valour (μη̄ πρέπειν Ῥωμαίοις μιμεῖσθαι Φοίνικας, ὥστε δι' ἀπάτης ἀλλ' οὐ δι' ἀρετῆς τῶν πολεμίων περιγίνεσθαι).

⁶⁵ See Walbank (1972) 175 n. 115 and Tränkle (1977) 134 and n. 6.

⁶⁶ Liv. pref. 11 describes Rome as a land richer than any other in positive historical example, and here the older men of the senate figure almost as ideal readers of his work. Liv. 1. 53. 4 damns Tarquin's capture of Gabii as 'minime arte Romana, fraude ac dolo', while Camillus refuses the offer of the treacherous schoolmaster of Falisca at 5. 27. 8 and claims that 'ego Romanis artibus, virtute opere armis, sicut Veios vincam'. Note how the second passage is now absorbed into the speech of the older senators as an example of the very Roman arts which Camillus seeks to defend. For Fabricius spurning the doctor

therefore emerges as crucial is the way in which, taken together, they represent a developing engagement with the ethics of warfare and, by extension, with the right or otherwise of the Roman state to claim privileged status as the defender of a particular moral position.

The description of the tactics adopted by Philip as *kakopragmosune* gives the first passage a strongly moralizing tone from the beginning.⁶⁷ This is only enforced by the recurrence of the same term in the final sentence and the suggestion that the vices attributed to Philip are ever more common in the world of the historian.⁶⁸ The Romans, by contrast, represent the last vestiges of an older tradition and the proof of this is their open declaration of war, their avoidance of ambush, and their preference for hand-to-hand combat.⁶⁹ They are thus ethically superior not only in how they embark on a war, but also in how they fight it once engaged. When Polybius and Livy go on to evoke the troubled perspective of the older Roman senators confronted with Q. Marcius Philippus and of the Greeks coming to terms with Roman operations in Carthage, what matters is their conviction that the Rome they thought that they knew is now lost to them.

The impression given is of a consistent ethical attitude to the conduct of war. It is beguiling.⁷⁰ While Polybius may persist throughout in upholding the obligation openly to declare war, his perspective on military tactics is far less clear.⁷¹ There are indeed passages of the

who offers to poison Pyrrhus, see Liv. *per.* 13; for the Faliscan schoolmaster and the doctor coupled as examples of deserters, see also Liv. 24. 45. 3; for the rejection of the schoolmaster and the doctor coupled as examples of 'iustitia' as a stratagem, see Frontin. *strat.* 4. 4. 1–2. Liv. 42. 47. 4–9 presents Roman policy in crisis precisely because it threatens to abandon the very qualities which his characters understand as defining them and which he sets out to propagate through his work. Does a downward momentum mark the remaining books? For brief but interesting remarks on this passage, see Chaplin (2000) 106–7.

⁶⁷ Plb. 13. 3. 1. For *κακοπραγμοσύνη* and *κακοπράγμων* used pejoratively to describe various forms of deceit, see also Plb. 4. 27. 2–3, 13. 5. 1, 18. 40. 3, 22. 19. 1–4. The last example explicitly records Polybius' distaste for the smart operations of Archon and adds that there is a great difference between the man of action and the man of ill-action (πολὸν γὰρ δὴ τι μοι δοκεῖ κεχωρίσθαι κατὰ τὴν αἵρεσιν ὁ πραγματικὸς ἀνὴρ τοῦ κακοπράγμονος).

⁶⁸ Plb. 13. 3. 8.

⁶⁹ Plb. 13. 3. 7.

⁷⁰ For a survey of scholarly opinion on Polybius moralist or Machiavellian, see Eckstein (1995) 16–27.

⁷¹ Cf. Eckstein (1995) 86–7. Plb. 13. 5. 1 accuses Philip of *κακοπραγμοσύνη* on Crete, and the 13. 4. 2 reference to his attempts to incite them to attack Rhodes would suggest that this refers primarily to the dishonourable modes of diplomacy to which he resorts. Plb. 14. 2. 13–14, by contrast, has Scipio Africanus make sure to suspend negotiations with Syphax before launching the night attack described at 14. 5. 15 as the most brilliant of Scipio's achievements.

Histories morally censorious of ambush.⁷² Others, however, are enthusiastic in their celebration of generals who resort to just such tactics;⁷³ and some which have been cited as evidence of hostility to ambush actually express the opposite point of view.⁷⁴ Trickery is an essential part of the general's repertoire,⁷⁵ and the man most worthy of rebuke is the one who exposes himself to such hazards.⁷⁶ When Polybius follows up his 13. 3 account of *kakopragmosune* with a brief pen-portrait of Philip's cat's-paw Heracleides—made for evil, low-born, treacherous, and unchaste—it might seem that this gentleman has little to commend him.⁷⁷ Yet it must also be noted that one quality with which the historian does credit him—sharpness or *anchinoia*—is precisely that which more than any other is the hallmark of the great tactician in Polybius.⁷⁸

The three passages quoted—for all their considerable consistency with each other—may now be seen to be far from representative of any unified strand in the thought of Polybius. Rather than seeking to extrapolate from them any universal account of military ethics, it is therefore essential to look in them for the factor which links or prompts them all. And that factor is plain to see: Rome. The sceptic faced with the rhetorical construction of the Roman arts at Livy 42. 47. 4–9 bristles at its self-serving humbug. Yet, humbug though it clearly is, it is far from clear that it is entirely ahistorical humbug.⁷⁹ For Livy may well be developing claims made in the debate on the Macedonian embassy, and the evidence of Plautus suggests that the association of *virtus vera* with the Roman art of war considerably antedates this time. Polybius,

⁷² Plb. 8. 35. 1.

⁷³ See esp. Plb. 1. 64. 6 cf. 1. 57. 3, 1. 57. 5, 1. 58. 4, 1. 84. 7–8 on Hamilcar.

⁷⁴ When Plb. 4. 8. 11 claims that the Cretans are expert at all forms of military trickery but hopeless in conventional battle, while the Achaeans and Macedonians are quite the opposite, this reads like just one example of the Achaean historian's ceaseless assault on Crete as the home of civil war, bribery, and deceit of every sort (4. 53. 5, 6. 46. 2–3 and 9, 6. 47. 3–5, 8. 16. 4–7, 8. 19. 5, 8. 20. 2, 10. 46. 5 cf. 29. 15. 1, 24. 3, 28. 14. 1–4, 33. 16. 4–5). Yet the Cretans are introduced into the argument at this point precisely as a parallel for the admired Aratus of Sicyon whom Plb. 4. 8. 3–4 praises both for his mastery of politics and diplomacy and, in warfare, for his coups, tricks, plots (*πράξεις, ἀπάτας, ἐπιβουλὰς*) but whom 4. 8. 5–6 describes as slow-witted and inept as a general in open battle. Pritchett (1974) 178–9 and Van Effenterre (1948) 290 simplify the issue.

⁷⁵ Plb. 9. 12. 2.

⁷⁶ Plb. 3. 81. 9, 5. 75. 2–4, 8. 35. 2–36. 9.

⁷⁷ Plb. 13. 4. Note esp. 13. 4. 1 *ἐν πεφυκῶς πρὸς τὸ κακόν*.

⁷⁸ Plb. 13. 4. 5, cf. 8. 34. 10, 10. 33. 2, 11. 19b. 5, 18. 28. 6–9.

⁷⁹ Wheeler (1988) 24 objects that 'This hypocritical Roman condemnation of the Odysseus ethos requires no commentary.'

it has been noted, is the only Greek historian to concern himself with the problem of ambush.⁸⁰ That the ethics of warfare were a live issue at Rome precisely at the time when he and his fellow Achaean prisoners began their long detention in the city may go some way to explaining this phenomenon.

Hannibal and the Art of Ambush

The passages attested from Polybius and Livy describe events from the period c.205–150 BC. To the extent that Polybius writes in a Roman milieu and often reflects a very Roman perspective on events, it is probably right to detect in the claims which he and Livy reproduce considerable evidence for Roman self-fashioning in this period. Nor does it require very much reflection to identify the source for such insistence on the morality of Roman warfare: defeat, traumatic defeat.

The consolation for military reversal is the certainty that one would not have lost had the enemy fought a fair fight.⁸¹ It is therefore little surprise that the one general who so consistently worsted his Roman opponents for any considerable length of time, who inflicted some of the most grievous of defeats on the Roman state, should also be marked as achieving victory by traps, snares, and deceptions.⁸² Hannibal is the master-trickster and Roman accounts of his triumphs insist repeatedly on this element in his generalship. The account of Cannae at Valerius Maximus 7. 4 Ext. 2 distils all that is characteristic of Livy's account of Roman trauma in the Second Punic War:

quid? Hannibal Cannensem populi Romani aciem nonne prius quam ad dimicandum descenderat compluribus *astutiae* copulatam *laqueis* ad tam miserabilem perduxit exitum? ante omnia enim providit ut et solem et pulverem, qui ibi vento multus excitari solet, adversum haberet. deinde partem copiarum suarum inter ipsum proelii tempus de industria fugere iussit; quam cum a reliquo exercitu abrupta legio Romana sequeretur, trucidandam eam ab iis quos in *insidiis* conlocaverat curavit. postremo quadringentos equites *subornavit* qui *simulata* transitione petierunt consulem; a quo iussi more transfugarum depositis armis in ultimam pugnae partem secedere, dstrictis gladiis, quos inter tunicas et loricas abdiderant, poplites pugnantium Romanorum ceciderunt. *haec fuit Punica fortitudo, dolis et insidiis et fallacia instructa. quae*

⁸⁰ Pritchett (1974) 177–89.

⁸¹ On this point, see also Burck (1943) 322–3.

⁸² For the attribution of defeat to the snares of the enemy as a Livian 'Entlastungsmoment', see Bruckmann (1936) 61, 85, 104–5, 110, 124–5.

nunc certissima circumventae virtutis nostrae excusatio est, quoniam decepti magis quam victi sumus.

What of Hannibal? Did he not bring the army of the Roman people at Cannae to so miserable an end after entangling it in many nooses of cunning before he went into battle? To begin with, he made sure that they should have their faces to the sun and the dust, which is commonly raised there in large quantities by the wind. Then he ordered part of his forces to take flight deliberately while the battle was actually in progress; when they were separated from the rest of the army and a Roman legion pursued them, he saw to it that the legion was slaughtered by men whom he had placed in ambush. Lastly, he set up four hundred horsemen, who went to the Consul pretending to be deserters. The Consul ordered them as such to lay down their arms and retire to the furthest part of the battle, as deserters are wont to do. Drawing swords which they had secreted between their tunics and breastplates, they hamstrung the fighting Romans. Such was Punic bravery, equipped with tricks and treacheries and deceit. That is now the surest excuse for our hoodwinked valour, since we were deceived rather than vanquished.

What Valerius says of Cannae runs through the entire Roman tradition and accounts of Hannibal's campaigns pullulate with the vocabulary of deception: *astus*,⁸³ *callidus* and *calliditas*,⁸⁴ *dolus*,⁸⁵ *fallere*, *fallax* and *fallacia*,⁸⁶ *fraus*,⁸⁷ *frustratio* and *frustrari*,⁸⁸ *ludibrium*,⁸⁹ *ludificatio*,⁹⁰ *dissimulare*, *simulare* and *simulatio*.⁹¹ Much the same vocabulary also features prominently in accounts of Hannibal's allies and subordinates.⁹² When occasionally such tactics are applied by Rome against Hannibal, it is implied that his arts are being turned on him.⁹³

The myth of Hannibal the trickster, the rehabilitation of his Roman victims as high-minded dupes, is not fashioned out of nothing. Nor is it just a response to the experience of defeat. Quite apart from any individual stratagems which he may have employed in the course of the campaign, Hannibal emerges as the master of one particular tactic: the

⁸³ Liv. 27. 20. 9, 35. 14. 12.

⁸⁴ Cic. *off.* 1. 108; Nep. *Hann.* 9. 2; Flor. 1. 22. 12, 1. 22. 16, 1. 22. 26.

⁸⁵ Liv. 22. 23. 4, 27. 16. 14, 27. 28. 4; Nep. *Hann.* 5. 3, 10. 4.

⁸⁶ Liv. 22. 16. 6; Frontin. *strat.* 3. 3. 6; Quint. *inst.* 2. 17. 19.

⁸⁷ Liv. 22. 17. 7, 22. 23. 4, 22. 28. 6, 22. 28. 8, 22. 43. 1, 22. 48. 1, 26. 6. 11, 27. 16. 14, 27. 28. 3, 27. 28. 6, 27. 28. 13, 27. 33. 9, 27. 33. 10; Flor. 1. 22. 13.

⁸⁸ Liv. 22. 16. 6, 22. 41. 9.

⁸⁹ Liv. 22. 16. 6.

⁹⁰ Liv. 22. 18. 9.

⁹¹ Liv. 24. 20. 15, 25. 8. 12; Cic. *off.* 1. 108; Frontin. *strat.* 2. 5. 24, 3. 10. 4; Flor. 1. 22. 16.

⁹² Liv. 22. 22. 15, 25. 15. 10, 26. 17. 5–16 cf. 27. 44. 9, 29. 33. 3.

⁹³ Liv. 27. 41. 6–7 cf. 34. 61. 4. Cic. *off.* 1. 108 cf. Plu. *Fab.* 23. 1–2 put Fabius Maximus alongside Hannibal while Plb. 18. 28. 6–9 claims that Scipio Africanus is his equal.

ambush.⁹⁴ Though both the Latin term *insidia*⁹⁵ and the Greek ἐνέδρα⁹⁶ acquire loose and indeed figurative senses, both also denote a specific military tactic in a way which is not so for the other terms for deception cited above. In the case of Hannibal, it consists of the cunning disposition of unseen troops to the side of the proposed place of battle. This is followed by a tactical retreat of the central body of the troops until it is possible to bring out the soldiers lying in ambush and attack the enemy from three sides at once.⁹⁷ Rome suffered all too often from this manœuvre until finally learning to resist; but not even final victory could take away the pain of the defeats which came before. The obsession of the literary sources with the ethics of ambush is a rationalization of that pain.⁹⁸

Ambush and Generalship in Plautus

It was suggested earlier that intrigue in the *Poenulus* becomes an exercise in 'Playing Punic'. It is perhaps therefore no surprise that ambush plays a prominent role in the plot against the pimp. Both Agorastocles and Syncerastus proclaim their intention to ambush Lycus,⁹⁹ and the latter himself describes the trick with Collybiscus in the same terms.¹⁰⁰ The prominence and successful application of Hannibal's favourite tactic in this of all plays makes sense, though it should be recalled that

⁹⁴ Plb. 3. 81. 9, 3. 84. 1, 3. 105. 1, 3. 105. 4, 10. 32. 3; Liv. 21. 53. 11, 22. 4. 2, 22. 17. 6, 22. 28. 5, 22. 28. 6, 22. 28. 7, 22. 28. 14, 22. 41. 6, 22. 42. 5, 22. 42. 11, 22. 43. 6, 23. 1. 6, 23. 1. 7, 24. 14. 6, 27. 2. 12, 27. 16. 14, 27. 26. 2, 27. 26. 5, 27. 26. 7, 27. 27. 14; Cic. *off.* 1. 108; Nep. *Hann.* 4. 3, 5. 3, 6. 4, 12. 2; Frontin. *strat.* 2. 5 'de insidiis' features Hannibal in 7 out of 47 stratagems cited, some loosely connected with ambush in any technical sense: 2. 5. 13, 2. 5. 21-5, 2. 5. 27; App. *Hann.* 10, 20, 23, 35, 40, 42; Zonar. 8. 24. 8, 25. 8, 26. 9, 1. 9, 8, 9, 9; Plu. *Fab.* 11. 5, 19. 6, 19. 8.

⁹⁵ See *OLD*, p. 923, s.v. 'insidiae' 4.
⁹⁶ See *LSJ*, p. 477, s.v. ἐνέδρα 2. For a figured use of ἐνέδρα in comedy, see Antiph. *Knioth.* fr. 122. 7 K-A = Ath. 448E-449B. The alternative term λόχος and its cognates are generally used with a more limited and technical range of meanings, though Plb. 3. 40. 6 and 7. 9. 8 suggest a figurative sense. For the verb ἐνεδρεύω in Menander, see *Kolax* B 44 Arnott.

⁹⁷ See Lazenby (1978) 53, 55-6, 62-5, 72-3, 81-2, 114, 256.

⁹⁸ For the running theme of 'insidia' and 'fraus' in Livy's account of Hannibal's victories, see also Burck (1943) 321-3 and Christ (1968) 469-70. Blättler (1945) 62 notes a similar process of exculpation in the attribution of the capture of Regulus to the trickery and ambush of the Spartan Xanthippus at Cic. *off.* 3. 99; Val. Max. 1. 1. 14; Sil. 6. 299-345. Plb. 1. 32-4, by contrast, has Xanthippus move his forces to the plain the better to employ his elephants and cavalry, and has Regulus captured as a result of the ensuing encounter.

⁹⁹ Plaut. *Poen.* 549, 884.

¹⁰⁰ Plaut. *Poen.* 788.

it is applied by the comic hero and his associates and not the villain of the piece.

What though of the great slave-generals of Plautus? Frequently, these figures, when presenting themselves as leaders of a campaign, are capable of demonstrating concerns which no good Roman general could overlook. Toxilus, for instance, is duly preoccupied with the taking of the auspices before sending his troops into battle, *Persa* 606–8:

tox. age, age nunc tu, in proelium
vide ut ingrediare auspicato. vir. liquidumst auspicium, tace.
curabo ut praedati pulchre ad castra convertamini.

tox. At him now, at him! See you enter the fray under happy auspices!

vir. The auspices are bright, hush! I'll look out that you return to camp well laden with loot.

The same slave-general will go on to deliver what Fraenkel brilliantly demonstrates to be a parody of the ritual prayer of thanks to Jupiter Optimus Maximus of the Roman *triumphator*.¹⁰¹ Without positively calling himself Roman, it is hard to see what more Toxilus could do to invite identification with a specifically Roman general. Yet he too is a master of trickery, and sets an ambush to waylay Sagaristio the pimp.¹⁰² For all that he identifies himself with a characteristically Roman figure, his tactics are those which the Roman devotees of *vera virtus* construct themselves as eschewing.

Much the same might be said of Palaestrio in the *Miles Gloriosus*. This slave commands his legions,¹⁰³ calls a meeting of the senate,¹⁰⁴ trains his maniples,¹⁰⁵ and gives out provinces as an *imperator* to his troops.¹⁰⁶ Yet he is also a master of the arts of *fallacia*,¹⁰⁷ *dolus*,¹⁰⁸ and *ludificatio*,¹⁰⁹ and the final product of all his scheming is an ambush into which the bumbling Pyrgopolynices can fall.¹¹⁰

¹⁰¹ Plaut. *Persa* 753–7 cf. Fraenkel (1960) 226–32.

¹⁰² Plaut. *Persa* 480–1: 'hunc hominem ego hodie in trasennam doctis deducam dolis, | itaque huic insidiae paratae sunt probe. adgrediar virum.' Brotherton (1926) 63 and Woytek (1982) ad loc. rightly observe that the principal metaphor here is hunting, not warfare.

¹⁰³ Plaut. *Mil.* 219–30, esp. 224.

¹⁰⁴ Plaut. *Mil.* 592–5.

¹⁰⁵ Plaut. *Mil.* 813–15.

¹⁰⁶ Plaut. *Mil.* 1156–62, esp. 1159–60.

¹⁰⁷ Plaut. *Mil.* 192, 875, 1156.

¹⁰⁸ Plaut. *Mil.* 147, 192, 198, 248, 357, 773, 783, 938, 1154, 1157.

¹⁰⁹ Plaut. *Mil.* 488, 490, 495, 538, 906, 927, 991, 1161.

¹¹⁰ Plaut. *Mil.* 1388–9, esp. 1389: 'paratae insidiae sunt'. Brotherton (1926) 63 again points to the hunting metaphor here.

Likewise Epidicus. Here he calls a meeting of the senate in order to devise a plan of campaign, *Epidicus* 158–63:

EPID. ite intro, ego de re argentaria
iam senatum convocabo in corde consiliarium,
quoui potissimum indicatur bellum unde argentum auferam.
Epidice, vide quid agas, ita res subito haec obiectast tibi;
non enim nunc tibi dormitandi neque cunctandi copia est:
adeundumst. senem oppugnare certumst consilium mihi.

EPID. Yes, go in; as for myself, I will now summon the senate inside my chest to consider matters of finance and decide who is the best party to declare war against and get money from. Look sharp, now, Epidicus, with such a sudden duty devolving upon you. I tell you what, there's no chance now for you to nap or hesitate. Forward! I'll storm the old man—my resolve is fixed.

As Segal points out, the reference to summoning the senate is a gratuitously Roman touch: if the Greek original read *βουλή*, the Latin *consilium* would have offered a quite satisfactory translation but one of a markedly more neutral tone.¹¹¹

At a later point, the same slave-general is busy convoying supplies to the colony under his own auspices,¹¹² and the young master is happy to proclaim that it is by the auspices of Epidicus that he returns to camp laden with booty.¹¹³ Yet, needless to say, the characteristic weapons of Epidicus are *astutia*,¹¹⁴ *dolus*,¹¹⁵ *simulatio*,¹¹⁶ and *ludificatio*,¹¹⁷ and the slave-general whose summoning of the senate struck so Roman a pose also proclaims his intention to turn into a swallow and suck out the blood of the two old men renowned as pillars of that same institution.¹¹⁸ Epidicus is a would-be Roman general with profoundly 'un-Roman' tactics, a senator and an enemy of the senate all in one. The instability is telling.

Hitherto, I have quoted examples where the Roman pose has time briefly to establish itself before it is subverted. In other cases, the process is more immediate. A classic example of the motif of the slave as general is furnished by the *Pseudolus*. In this play, enemies abound: an unseen Macedonian soldier and his doltish representative, a tricky

¹¹¹ Segal (1987) 129. For these lines as a joke against the declaration of war as a get-rich-quick scheme for the ruling class, see Gabba (1988) 75. Harris (1979) 102–3 cites the same lines as evidence of popular expectations of booty from war but Gabba's version is more acute.

¹¹² Plaut. *Epid.* 342–3.

¹¹³ Plaut. *Epid.* 381.

¹¹⁴ Plaut. *Epid.* 363, 375.

¹¹⁵ Plaut. *Epid.* 372, 375.

¹¹⁶ Plaut. *Epid.* 373.

¹¹⁷ Plaut. *Epid.* 373.

¹¹⁸ Plaut. *Epid.* 187–8: 'iam ego me convertam in hirudinem atque eorum exsugebo sanguinem, | senati qui columen client.'

pimp and an obstructive father. In order to outdo them and win the girl for his young master, the slave gives out orders, sets out to besiege a town, is cut off from pillaging, musters his troops, and finally celebrates a triumph. The most sustained expression of this theme comes, however, at *Pseudolus* 574–93. This is the exuberant *canticum* sung by the playwright's greatest wily slave as he emerges after a period of plotting within the house, followed by the two lines in which he notices the arrival of Harpax, slave to the Macedonian soldier Polymachaeroplagides:

pro Iuppiter, ut mihi, quidquid ago, lepide omnia prospereque eveniunt:
neque quod dubitem neque quod timeam, meo in pectore conditumst
consilium.
nam ea stultitiast, facinus magnum timido cordi credere; nam omnes res
perinde sunt
ut agas, ut eas magni facias; nam ego in meo pectore prius ita paravi copias,
duplicis triplicis dolos perfidias, ut ubiquomque hostibus congregiar
(maiorum meum fretus virtute dicam,
mea industria et malitia fraudulenta),
facile ut vincam, facile ut spoliem meos perduellis meis perfidiis.
nunc inimicum ego hunc communem meum atque vostrorum omnium,
Ballionem, exballistabo lepide: date operam modo;
atque huc meas legiones adducam; si expugno
(facilem hanc rem meis civibus faciam)
post ad oppidum hoc vetus continuo meum exercitum protinus obducam:
inde me et simul participes omnis meos praeda onerabo atque opplebo,
metum et fugam perduellibus meis me ut sciant natum.
eo sum genere gnatus: magna me facinora decet efficere,
quae post mihi clara et diu clueant.
sed hunc quem video? quis hic est qui oculis meis obviam ignobilis obicitur?
lubet scire quid hic veniat cum machaera et huic, quam rem agat, hinc dabo
insidias.

By Jupiter! How charmingly, how blissfully, all my undertakings do turn out for me! Nothing to doubt, nothing to fear, with the scheme now stored in my chest! Ah, the folly of entrusting a weighty venture to a weakling heart! Ah, all things are what you make them, have the weight you give them. Ah, and I, the way I have my troops already marshalled in my mind, in double, triple, line of wile and guile, let me meet the enemy where'er I may, I—animated, I may say, by the noble spirit of my sires and by the energy and artful dodges of my own self—shall easily master, easily despoil, my foemen with my flimflam. Now for this common enemy of all of us, mine and yours, this Ballio—I'll ballistify him in fine shape. Just you watch! Aye, I'll lead my legions hither; on taking him by

storm—an easy matter I'll make of it for my fellow-citizens—I'll then next lead my troops against this old town forthwith. With that, I'll load and lavish booty on myself and likewise on my comrades all, "that the world may know that I am born fear and flight for my foe". Such is the stock from which I spring—for me 'tis seemly to succeed in weighty ventures which will leave a lustrous name in far days to come. But who is this I see? Who is this unknown thus thrown athwart my line of vision? I'd like to find out what he and his sword are doing here; I'll ambuscade him from over here and see what he's up to.¹¹⁹

There is much in this passage to make one think of a great general: the drawing up of the troops in double and triple line; the prospect of siege action against the pimp; the plan to lead the legions against that other city represented by father Simo; fear and flight for the foe but booty for the men. When Pseudolus describes himself as animated by the noble spirit of his sires (*maiorum meum fretus virtute*),¹²⁰ and boasts that he is of such a clan that it is appropriate for him to perform great deeds to be famous for a long time to come (*eo sum genere gnatus: magna me facinora decet efficere, | quae post mihi clara et diu clueant*),¹²¹ his rhetoric resounds with the spirit of emulation Polybius describes in a Roman aristocratic funeral,¹²² with the pride of Turnus in falling short of none of his ancestors,¹²³ or the determination of Catiline at Pistoia to live up to the ancient *dignitas* of his line.¹²⁴ Such rhetoric is no exclusive Roman preserve but, if it recalls anything to the audience of Plautus, it must be the posturing of their aristocratic leadership.¹²⁵ Pseudolus transformed can furnish himself with a distinguished if unnamed lineage; a defining characteristic of the slave of comedy is his want of family, of any world beyond that of his master's house.¹²⁶

¹¹⁹ For arguments against the authenticity of vv. 576–80 and 587–9, see Zwierlein (1991) 138–44. It is certainly the case that more coherent Latin is achieved if the full-stop is removed after v. 575 'in pectore conditumst consilium' and v. 583 'facile ut vincam' is treated as the continuation of the same sentence. However, the three 'nam' clauses at vv. 576–7 and the redundant duplication of 'ut' at vv. 580 and 583 to which Zwierlein objects may in fact communicate the breathless excitement of the slave.

¹²⁰ Plaut. *Pseud.* 581.

¹²¹ Plaut. *Pseud.* 590–1.

¹²² Plb. 6. 52–5.

¹²³ Verg. *Aen.* 11. 441, 'haud ulli veterum virtute secundus'.

¹²⁴ Sall. *Catil.* 60. 7, 'memor generis atque pristinae suae dignitatis', cf. Sall. *Jug.* 85. 29, 'non possum fidei causa imagines neque triumphos aut consulatus maiorum meorum ostentare'.

¹²⁵ For such posturing, see esp. Harris (1979) 30 and n. 5 citing Scipionic elogia at *ILLRP* 311 and 316.

¹²⁶ For slaves boasting of their 'maiores', cf. Plaut. *Cas.* 418, *Mil.* 373, *Stich.* 303 with Petersmann (1973) ad loc. Note also the family tradition asserted at Plaut. *Epid.* 340. Dumont (1987) 415 and nn. 705–6 comments intelligently on Plaut. *Cas.* 418 and compares Plaut. *Cas.* 723–4 where the same Olympio sports patrician costume. For a parasite's pride in maintaining the profession of his 'maiores', see Plaut. *Persa* 53–61, 390.

Yet how will Pseudolus win out? Here are some of the weapons at his disposal as listed in the *canticum*: *dolos, perfidias, malitia fraudulenta*. And ambush. At the close of the *canticum*, intrigued to see what Harpax is up to, Pseudolus draws aside and quips *hinc dabo insidias*.¹²⁷ The same motif recurs frequently for one character spying on another in Plautus.¹²⁸ In the *Pseudolus*, however, it leads directly into the scene in which Harpax is tricked. As the play develops further, Pseudolus will wait in ambush while Simia goes into action against the pimp,¹²⁹ and finally the aged Simo—an unusually ludic father¹³⁰—will turn the tables on Pseudolus and plan a further ambush against him in return.¹³¹ Success, however, is incomplete. Reluctant though he is to pay up the money which he owes the slave, Simo has no choice but to admit that he has lost his bet and settle up.¹³² Reduced to the state of a suppliant, he does eventually induce Pseudolus to return some of his winnings, but only on condition that he grant an amnesty to son and slave and join the latter on his drunken spree.¹³³ And buried amidst all this is a most suggestive formulation. At 1315–16, Simo laments the fact that Pseudolus takes his money and laughs at him in the process; the slave responds with an oddly resonant phrase: *vae victis*. It is as if the great slave-general Pseudolus briefly slips his mask and reveals himself to be no Roman, no consul, but rather that master of Roman humiliation in arms: Brennus the Gaul.¹³⁴ The implications of such an identification are instructive and merit further consideration.

A Fragile Construction

The bulk of this chapter has concerned Roman constructions of their own national character and of that of the Carthaginians on the basis of military tactics. The analysis of this discourse further suggested that the identification of the wily slave of comedy with the figure of the con-

¹²⁷ Plaut. *Pseud.* 594.

¹²⁸ Plaut. *Asin.* 881, *Cas.* 436, *Mil.* 303.

¹²⁹ Plaut. *Pseud.* 959 cf. 1047–8, where Simia puts an end to questioning in ‘insidiis hostilibus’ and urges a quick march to safety.

¹³⁰ Plaut. *Pseud.* 546, ‘indice ludos nunciam, quando lubet’, marks Simo’s surrender to the spirit of play and there is little thereafter to justify the harsh characterization of his role offered, for instance, by Anderson (1993) 131 and 148.

¹³¹ Plaut. *Pseud.* 1239, 1241, 1245.

¹³² Plaut. *Pseud.* 1312–18.

¹³³ Plaut. *Pseud.* 1327–30.

¹³⁴ Cf. Liv. 5. 48. 9; Fest. p. 510 L.

temporary Roman general was inherently unstable because, for all the Roman airs adopted by the slave, his tactics belonged to the category identified as un-Roman and Carthaginian.

Such dichotomies are, of course, rather too neat. It has indeed been suggested that the Roman armies of the Second Punic War were fundamentally naïve in their strategies until finally educated by Hannibal, but it is hard to accept that the situation is so clear-cut.¹³⁵ Notably, two of the three passages quoted from Livy and Polybius for the construction of Roman tactics stem from episodes where what is at issue is Rome's failure to live up to such standards. However, the admission, that contemporary Roman generals did indeed employ ambush and other cunning tactics at times, cannot in itself eradicate the impression that a succession of traumatic defeats at the start of the Second Punic War gave room for the construction of the Carthaginians as the masters of this art and of the Romans as its victims. The construction need not respond to every available piece of evidence which can be attested now in order to have carried conviction then.¹³⁶

More substantive is the objection that this is only one construction amongst many or, to put it another way, just a subset of one big construction opposing Romans and foreigners in general. This, after all, is the implication of suggesting that Pseudolus identifies himself with Brennus and, by extension, Simo with his defeated Roman foe. Instead of citing the *Pro Scauro* for evidence of hostility to Carthaginians, one could point to the *Pro Fonteio* for the sempiternal Gallic hatred of Rome.¹³⁷ Nor were tribes such as the Boii exactly amateurs at the art of ambush.¹³⁸

Intriguing though such allusions may be, it may further be asked why so much attention is being paid to Carthage and Gaul, when the big issue is really Greece. It will be noted that the older senators in Livy characterize military cunning as the preserve not just of Carthage but also of Greece. Diodorus and Polybius have obvious subjective reasons to make them speak only of the former, but Polybius, as has been seen,

¹³⁵ Brizzi (1982) 8, 78–110, 270, exaggerates the case and is rightly criticized at Wheeler (1988) 51–2. Plb. 1. 57. 3–5 and 58. 4 suggests that Roman commanders already knew how to lay an ambush at the time of the First Punic War while 3. 18. 9–19. 4 has L. Aemilius Paullus on Pharos employ what Polybius calls a stratagem and which is blatantly an ambush.

¹³⁶ For Roman employment of ambush, see esp. Liv. 27. 41. 6–7, 27. 46. 6, 28. 33. 4, 30. 4. 1–3.

¹³⁷ Cic. *Font.* 30–1, 33.

¹³⁸ Liv. 23. 24. 6–13, 35. 4. 4.

is happy elsewhere at one point to associate trickery in war with Macedonia and at another with Crete.¹³⁹ Ambush and deceit may feature less prominently in Livy 31–45 than in his account of the Carthaginian Wars but examples are there to be found.¹⁴⁰ As for Plautus, meanwhile, the emphatically and self-consciously Greek world represented is one where a Greek character can use *fides Graeca* as a synonym for trickery.¹⁴¹ For all that we may detect a glimpse of Brennus at the close of the *Pseudolus*, it is to the great Greek trickster Ulysses that Simo will liken his slave and the Chrysalus of the *Bacchises* embraces the same associations.¹⁴² When Segal maps the tricksterism of the slave onto Roman ideas of national character, he therefore evokes the Sinon of *Aeneid* 2 and the *Graeculus* of Juvenal 3. Such characters, he claims, are typical of Roman views of the Greeks in particular and of foreigners in general.¹⁴³ The Carthaginian features in this argument only as an example of how the same prejudice can cover any other race as well: anyone non-Roman is effectively Greek.¹⁴⁴

It is not my intention to deny that Greece is the principal obsession of Plautine comedy. This is, moreover, a Greece displaced to the Roman stage and all the more constructed, all the more hyperbolically Greek for that. It is therefore a Greece which invites constant reflection on what it is to be a Roman, just as, in the world outside the theatre, the ever-increasing influence of Greek culture on Rome makes the task of defining true, undefiled Romanity all the more urgent. This is the source of the paradox whereby objectively Greek agelasts and blocking characters can come to represent effectively Roman figures in the *palliata*. Stage-setting, name, and costume declare these characters to be Greek, but they are created and enjoyed in a world where strict Catonian morality defines Roman culture in austere agrarian and military terms, while licence and luxury are the product of an inva-

¹³⁹ Plb. 13. 3. 1–8; 4. 8. 11. See pp. 39–40, 44 n. 74 above.

¹⁴⁰ Liv. 31. 24. 8, 31. 26. 2–4, 31. 36. 1–3, 31. 38. 10, 32. 33. 10–11 and 16, 32. 40. 1, 33. 6. 12, 33. 7. 4, 33. 25. 5, 33. 29. 3–4, 35. 29. 3–7 and 9, 35. 35. 1, 35. 36. 5, 36. 12. 7, 36. 14. 12–14, 37. 10. 9–12, 37. 12. 8, 37. 26. 4, 38. 14. 3, 38. 14. 11–14, 38. 25. 7–8, 38. 40. 8, 39. 25. 10, 39. 26. 3–4, 40. 8. 2–14, 3. 40. 23. 4–7, 40. 24. 5, 40. 55. 1–3, 41. 20. 3–4, 42. 11. 8, 42. 15. 4 and 9, 42. 48. 2, 43. 23. 4–5, 44. 24. 8, 44. 27. 3, 44. 44. 4–6, 45. 11. 1.

¹⁴¹ Plaut. *Asin.* 199. Segal (1987) 38 cites this line but misrepresents Lejay (1925) 237 when he claims that the latter identifies more than 75 words for ‘Greek trickery’. What Lejay actually does is to identify 75 words for trickery in Plautine Latin. *Asin.* 199 is the only reference to ‘fides Graeca’ in Plautus.

¹⁴² Plaut. *Pseud.* 1063–4, *Bacch.* 946, 949–52.

¹⁴³ Segal (1987) 37–9.

¹⁴⁴ Segal (1987) 38.

sion of Greek manners.¹⁴⁵ In the terms of this discourse, therefore, the grumbling rustic is subjectively a Roman and the urban sophisticate a Greek.¹⁴⁶

Yet this is not a recantation. Crucial though Greece is, it cannot speak for everything. Though Segal is one of the few Plautine scholars even to hint at the importance of Hannibal the trickster, he offers little sense of the specific historical moment and, by building a picture of racial stereotypes out of passages from Vergil and Juvenal, risks writing the history of Roman *mentalités* as a rather bland continuum. And yet how rich is that historical moment and how massive an impact on the Roman imagination must derive from the fifteen years for which the Carthaginian force remained in the Italian mainland, from the succession of defeats inflicted in the initial stages of that occupation!

To the observations previously offered on the slave as general and the problem of tactics, two more general observations may be offered. First, it is not just that the wily slave acts in a manner potentially reminiscent of Hannibal. Rather, that part of the Hannibal tradition which emphasizes his gift for deceit and dissimulation has a peculiarly theatrical, indeed New Comic element to it: tricks with signet rings, wigs, changes of costume and tongue, acting as if he were someone else and not Hannibal. In short, if the wily slave recalls the Hannibal of history, the Hannibal of history recalls the wily slave. Second, the persistent pattern whereby the wily slave wins out against the authority figure—most obviously the father—is telling. For, it is in just such authority figures that the effectively Roman figures of the *palliata* are found and the only figure who can stand for the repeated worsening of Roman authority in this period is Hannibal. Nobody in the Greek world of the period comes close to the dazzling efficacy and menace which he represents.¹⁴⁷

I have always been suspicious of arguments which made any appeal to notions of the collective subconscious and regarded such procedures as a specious cover for assertions which no evidence could be produced to sustain. In this instance, however, it is hard not to see in the Plautine celebration of the slave as trickster a compulsive reperformance

¹⁴⁵ I summarize the position of Segal (1987), esp. 10–12, 15–41. There is much to commend this as a description of the basic dynamics of Plautine comedy. Yet Cato is only one voice in a complex historical process and, as I hope to show in Chs. 4 and 5, a far from simple one at that.

¹⁴⁶ See pp. 101–5. Segal (1987) 97 is useful for the Roman role played by the agelast.

¹⁴⁷ Liv. 31. 1. 6–7 effectively confesses as much.

of traumatic shared disaster. The audience engages with the wiles of a Pseudolus and celebrates the toppling of another Simo, but is that laughter always comfortable? Can the fear of slaves in arms or the pain of the Hannibalic disaster ever entirely be repressed?

The *Captivi* and the Paradoxes of *Postliminium*

Introduction

The wily slave of Plautine comedy is a character without a past. When Pseudolus suggests that it is proper for him to perform heroic deeds because this is the tradition of his ancestors, his playful embrace of the rhetoric of the Roman aristocracy exposes a fundamental aspect of his figure.¹ Who, it may be asked, are those ancestors? Where does the slave come from? No answer to such speculation will ever be supplied. The classic slave heroes of Plautine comedy—Pseudolus, Chrysalus, Tranio, Epidicus, Milphio, Palaestrio, Toxilus—are not even identifiable, like many of their peers in Menander and Terence, with a specific ethnic grouping. They have no memory of their parents;² they suffer no nostalgia; they tell us nothing of how they came to be enslaved.³ A form which is regularly preoccupied with unravelling the vicissitudes which can lead free women through kidnap and sale to the verge of prostitution, has no concern to create such narratives for the male.⁴

One play in the Plautine corpus stands out as an exception to the rule identified above and that is the *Captivi*. Nor does this play do so casually and in passing. Rather, it begins by presenting two characters self-consciously engaged in the performance of the tricks of the slave hero precisely in order to secure the return to his former status of one of

¹ Plaut. *Pseud.* 581, 590–1. For this motif, see pp. 49–51.

² An exception to the rule asserted is Sosia at Plaut. *Amph.* 365: ‘Sosiam vocant Thebani, Davo prognatum patre.’ Christenson (2000) ad loc. notes the solemn tone of ‘prognatum’ and describes this as ‘pure bombast in a slave’s mouth’.

³ Cf. Spranger (1984) 72. Finley (1980) 75–7 points to the sale and break-up of servile ‘familiae’ as the prime mechanism in the Roman world for the deracination of the slave and the denial to him of ‘the most elementary of social bonds, kinship’. For the master as substitute fatherland to the slave, see Soph. *Aj.* 518; Antiph. fr. 263 K-A = Stob. 4. 19. 9; Men. fr. 789 K-A = Stob. 4. 19. 34. Note also Plaut. *Bacch.* 170, *Stich.* 650 where the slave returning after a voyage addresses ‘erilis patria’. For the slave’s loss of father and fatherland exploited to pathetic effect, see Plaut. *Persa* 635–47.

⁴ Cf. Moore (1998) 186. I have found much to admire in Moore’s discussion of the *Captivi*.

the two. In the course of the drama, the second member of the pair will benefit from an unlikely *anagnorisis* in order to recover the citizen status he had never thought to assert, while a third character only recently enslaved will return to the house of his father and his former rights. Yet it is perhaps in the final reassertion of the servile status of a fourth figure that the drama will offer its most telling commentary on the origins of slavery and the precarious boundaries which separate free and unfree in the ancient world.

The issues addressed by Plautus in the *Captivi* are also of striking relevance to his world. This chapter will therefore combine a close reading of the text with consideration of the attitude of the Roman ruling class to those members of its armed forces who exposed themselves to enslavement by becoming prisoners of war to an enemy power. Of particular interest here will be the response to Roman prisoners who attempted to extricate themselves from this situation by means not unlike those adopted by the heroes of the *Captivi*. No less important will be an examination of the means by which society might validate the recovery of status lost in time of war. Its provisions not just for a returning prisoner to re-establish himself as a free citizen but also for a recovered slave to revert to the power of his master make the law of *postliminium* a promising area of investigation.

From Soldier to Slave

The *Captivi* is set in Aetolia in time of war against the people of Elis. The elderly Hegio is father to two sons, one of whom was stolen as a young child by a runaway slave and has never been recovered,⁵ the other of whom, Philopolemus, went to war for Aetolia and is being held as a prisoner in Elis.⁶ Distraught at this second loss Hegio therefore establishes himself as a slave-dealer in the hope of obtaining a captive from Elis whom he can exchange for his son.⁷ The high rank of the recently taken Philocrates makes him an ideal candidate for this procedure and Hegio has therefore spared no expense in order to acquire him.⁸ Along with Philocrates comes his personal slave Tyndarus, who has been his companion since boyhood.⁹ This pair have hatched and now enact a plan to secure the escape of Philocrates.¹⁰ To this end

⁵ Plaut. *Capt.* 7–10, 17–22, 759–61, 971–7.

⁷ Plaut. *Capt.* 27–9.

⁹ Plaut. *Capt.* 19–20, 717–20.

⁶ Plaut. *Capt.* 25–6, 762.

⁸ Plaut. *Capt.* 30–4.

¹⁰ Plaut. *Capt.* 35–51.

they exchange identities and persuade Hegio to permit the slave (who is really the master) to return to Aetolia in order to arrange an exchange with Philopolemus. This is successful but, in the absence of Philocrates, Tyndarus is exposed as an impostor by his fellow-prisoner Aristophontes and is sent to the quarries as a punishment. The play is resolved when Philocrates returns with the recently released Philopolemus and the runaway slave Stalagmus. The latter reveals that the child whom he originally stole from Hegio is none other than the Tyndarus whom Hegio has recently consigned to the quarry. Father and son are thus reunited. The play is also punctuated by interventions from the parasite Ergasilus, who first laments the sorry life he leads since the capture of Philopolemus, then celebrates ecstatically at the news of his return.

The *Captivi* is all about characters who at one time are free and at another slaves, and the means by which this change of status is brought about. A central concern of previous criticism of the play has therefore been its representation of the servile condition and the light which it casts on ancient theories of slavery.¹¹ Nor will this issue be overlooked in this contribution. The title of the play, however, is not *Slaves* but rather *Prisoners* or even *Prisoners of War* and it is therefore surprising that scholarship has hitherto devoted so little attention to the specific issue of capture and imprisonment in time of war. This alternative approach is, moreover, of specific interest in that the *Captivi* is the product of a historical period when the appropriate response to soldiers who allow themselves to be captured in war is a major issue in Roman politics and when the legal status of the returning prisoner is the subject of considerable contestation.

Students of Republican Roman law habitually raid Plautus for allusions to contemporary legal principles and procedure; Plautine scholars comb the text of his works for reference to specifically Greek or Roman legal institutions and found analyses of the Roman writer's adaptation of his Greek original on the results.¹² This argument sets out to do something rather different. In particular, what I mean to do

¹¹ Dumont (1974); Konstan (1976); Thalmann (1996); Moore (1998).

¹² Fraenkel, (1960) 4 n. 2 and 399 cites important examples. See also the discussion of ἀπαβών and *stipulatio* in Williams (1956–7). For a somewhat uncritical survey of Roman private law as featured in the work of Plautus, see Costa (1890), esp. 76 and 78, citing Plaut. *Capt.* 684–6, 931 for *postliminium*. Paoli (1962) 1–11 prefates an investigation of specifically Attic institutions in Plautus and Terence with a summary of previous scholarship and, at 7–9, a sympathetic account of the virtues and defects of Costa's work. Scafuro (1997) 1–21 is also very helpful.

is to excavate the political impulses implicit in the law of *postliminium* and its development in the mid-Republican period and to juxtapose these with the version of imprisonment, slavery, and homecoming presented in the *Captivi*. In order to do so, it will be necessary to subject *postliminium* to diachronic as well as synchronic analysis; for the late juristic texts which are our primary source provide evidence for principles of Roman law and social structure manifestly continuous across the centuries as well as pointers to the radical reformulation of *postliminium* in the third and second centuries BC, a process for which the historians provide crucial confirmatory evidence. It will also be necessary to consider the full range of circumstances to which the concept of *postliminium* is applied in Roman thought and to discuss its application to the recovery of property as well as of civil status. For a slave may have been a citizen before he was taken, but is a tool with a voice, the property of a master, once that status is lost, and, before we surrender to the festive atmosphere of the final scenes of the *Captivi*, it will benefit us to consider the unhappy figure of Stalagmus and what exactly it will mean to him once again to cross the *limen* and make his way back into the house of Hegio.

Postliminium

The Roman law of *postliminium* is most familiar to modern scholars as that mechanism by which Romans captured while serving in the legions might recover the citizen status lost at the moment of their imprisonment.¹³ Yet the concept of *postliminium* embraces far more than just this single circumstance and, in order to appreciate its significance for the issues which the *Captivi* confronts, it will be important to give thought both to its historical evolution and to the range of situations to which it could be applied.

The vast majority of Roman accounts of *postliminium* are to be found at *Digest* 49. 15 and these will be considered in due course. One particularly important contribution, however, has a different provenance and that is that attributed to Aelius Gallus at Festus p. 244 L:

1. postliminium receptum Gallus Aelius in libro primo significationum, quae ad ius pertinent, ait esse eum, qui liber, ex qua civitate in aliam civi-

¹³ So the succinct summary in Gaius *inst.* 1. 129 which refers to 'ius postliminii, quo hi, qui ab hostibus capti sunt, si reversi fuerint, omnia pristina iura recipiunt'.

tatem abierat, in eandem civitatem redit eo iure, quod constitutum est de postliminis.

2. item qui servos a nobis in hostium potestatem pervenit, postea ad nos redit in eius potestatem, cuius antea fuit, iure postlimini. equi et muli et navis eadem ratio est postliminium receptionis quae servi.

3. quae genera rerum ab hostibus ad nos postliminium redeunt, eadem genera rerum ⟨a⟩ nobis ad hostis redire possunt.

4. cum populis liberis et confoederatis et cum regibus postliminium nobis est ita, uti cum hostibus. quae nationes in dicione nostra sunt, cum his ⟨postliminium non est⟩.

1. Aelius Gallus, in the first book of his definitions pertaining to the field of law, states that the man accepted into *postliminium* is one who, being of free status, returns to the state whence he had departed under the law which has been constituted concerning *postliminia*.

2. Likewise, the slave who, having come from us into the power of the enemy, afterwards returns to us to the power of his previous master by the law of *postliminium*. The same applies to the recovery into *postliminium* of a horse or a mule or a ship as it does to the recovery of a slave.

3. Those forms of property which return to *postliminium* to us from the enemy can return from us to the enemy.

4. We have *postliminium* with free peoples and with confederated peoples and with kings in the same way as with enemies. We do not have *postliminium* with those nations which are under our power.

To some historians of Roman law this is very likely the earliest extant definition of *postliminium*.¹⁴ Whether this is true or not, it certainly appears to contain vital evidence for the early stages of the development of the law. In particular, it is striking that the category of citizen covered in the first part of the definition provided by Aelius is not the captured soldier but rather the free citizen who once chose to abandon his Roman citizenship in favour of that of another state and now seeks to return. Kornhardt links this intelligently with the concept of *exsilium* and emphasizes that the latter becomes a mode of punishment only in the late Republic; in the mid-Republic it equates with the voluntary decision on the part of the citizen which *postliminium* is designed to reverse.¹⁵ Crucial to this argument—and most suggestive for New Comedy—is the role taken by the familial threshold in both these

¹⁴ See esp. Kornhardt (1953) 6–8. For a sceptical account of the dating issue and a full bibliography on the topic, see Cursi (1996) 13–14 and n. 1.

¹⁵ For the early forms of *exsilium* and its relationship to *postliminium*, see also Mommsen (1887) iii. 42–53 and 653–8; Crifò (1961) 77–107; Sherwin-White (1973) 34–5, 292–3. For arguments against this being an early form of *postliminium*, see De Visscher (1939) 371–2.

concepts. For Kornhardt points to the derivation of *exilium* from the verb *exsilire* and explains the jumping out implied in terms of the need to negotiate the notable height of the Roman domestic *limen*.¹⁶ By contrast, the term *postliminium* suggests that any return is incomplete until the once and future citizen has actually come back over the threshold of the familial *domus*.¹⁷

The other aspect of the Aelian definition which must be emphasized is the extension of *postliminium* from persons to property. In this instance, what is at issue is the right of the citizen to recover that which he has lost at the hands of the enemy. Here, therefore, there is absolutely no need for the claimant ever to have left Rome, merely for his belongings to have done so. This is a matter on which the jurists elaborate at length and which is of considerable potential interest. In particular, it will be worth paying attention to the slave who, in one striking formulation, can be said to have *postliminium* but only in the sense that he is liable to recapture by his former master. When the slave comes back over the *limen*, this is, of course, the end of liberty.¹⁸

It has been observed that the best way to work out who at Rome was entitled to *postliminium* is to establish who was not.¹⁹ It is, in truth, unclear by what judicial process questions of entitlement were decided at Rome but it is certainly the case that no understanding of the social and political function of the law can be reached unless the positive list of conditions under which *postliminium* can pertain is supplemented by careful attention to the assertions of the jurists as to when it cannot. This in turn will cast a light on the question of the historical develop-

¹⁶ Kornhardt (1953) 4–5 and n. 8, cf. (1954) 86–7, erroneously attributes this etymology to Mommsen (1887) iii. 48 and refers to the account of the ‘limen’ in Meister (1924–5). The possible derivation of *exilium* from *exsilire* is discussed in Solmsen (1909–10) 102–14; Walde-Hofmann (1938) i. 432; Crifò (1961) 77–8 and n. 1. Ancient associative etymologies explain *exilium* in terms of *ex-solum*. For this, see Serv. at Verg. *Aen.* 2. 638; Isid. *orig.* 5. 27. 28; Cassiod. *GLK* 7. 152. 6. However, the farewell to the familial *limen* in comic exile scenes such as Plaut. *Merc.* 830–1, cf. Nov. *com.* 49–50 = Non. p. 530 L, point to the interpretation favoured by Kornhardt.

¹⁷ Cic. *top.* 36–7 quotes the opinion of Servius that *postliminium* is merely *post* followed by the suffix *liminium* and contrasts it with that of the younger Scaevola who argues for a combination of *post* and *limen*. Fest. p. 245 L; Just. *inst.* 1. 12. 5; Prisc. *GLK.* 3. 475. 9; Isid. *orig.* 5. 27. 28 all concur with Scaevola. For all that Isidore both derives *exilium* from *ex-solum* and understands it as a purely punitive procedure, his representation of *postliminium* as the formal reversal of *exilium* preserves elements of what Kornhardt regards as the earliest form thereof. De Visscher (1939) 368–9 notes the modern consensus in favour of Scaevola’s etymology.

¹⁸ See Paulus, *ad Sabinum* 16 = *Digest* 49. 15. 19. 5 and 10.

¹⁹ Watson (1967) 244.

ment of the law from its earliest form as exemplified by part 1 of the Aelian definition through the crisis years of the third and second centuries.

It is significant that the first category of return by *postliminium* recorded by Aelius—the return of those voluntarily exiled in another state—is one which receives relatively little comment from the jurists. That this remained a legal reality is evident from Cicero's *Pro Balbo*;²⁰ but the voluntary adoption and rejection of citizenship on the part of individuals seems to pose few major difficulties for the state and therefore to require little juristic refinement or regulation.²¹ Where *postliminium* becomes a potentially problematic category is in its application to the return of soldiers captured in war. The juristic commentary on this matter is revealing.

The following passage from Tryphoninus, *Disputationes* 4 at *Digest* 49. 15. 12 offers an important insight into the problem:

in bello postliminium est, in pace autem his, qui bello capti erant, de quibus nihil in pactis erat comprehensum. quod ideo placuisse Servius scribit, quia spem revertendi civibus in virtute bellica magis quam in pace Romani esse voluerunt.

Postliminium applies in war; in peace it applies to those who have been captured and concerning whom no stipulation has been made in the treaty. Servius says that this decision was made because the Romans wished the citizens to place hope of return in martial courage rather than in peace.

The opinion quoted by Tryphoninus is attributed to the Republican jurist Servius and in turn describes what motivated a still earlier generation of Roman legislators.²² The first sentence is somewhat opaque and has therefore prompted attempts at emendation.²³ The opacity is, however, removed if *postliminium* is understood not as the automatic right to return but rather the process by which the right or otherwise of the captured soldier is subject to public regulation.²⁴ This is the

²⁰ Cic. *Balb.* 29–30, cf. *Caec.* 100 and Kornhardt (1953) 11.

²¹ Cic. *Balb.* 30, cf. Nep. *Att.* 3. 1, points to a potential problem if Roman citizens forget that their citizenship is exclusive. They cannot follow Greek precedent and combine the citizenship of two separate states; Atticus remembers this; the Romans serving on the Areopagus do not.

²² The Servius to whom Tryphoninus refers is Ser. Sulpicius Rufus cos. 51 BC. For an account of his career as politician, orator, and jurist, see Münzer and Kübler at Pauly *RE* iv A (1931) 851–60.

²³ See Watson (1967) 247–8 citing Goffredi's emendation of 'autem his' to 'autem non iis' and of 'nihil' to 'id'.

²⁴ Lévy-Bruhl (1934) 37 and n. 1 argues for the necessary existence of some civil or

only logical link to the second half of the passage and the explanation that the Roman state wished its citizens to believe that hope of salvation derived from a readiness to fight bravely, not from the prospect of peace. In other words, the soldier must be discouraged from the belief that it is acceptable to surrender because he will automatically be restored to his former status at the coming of peace. Statecraft may require a treaty stipulating the reciprocal return of prisoners of war but it may be inferred that even this is likely to have unfortunate consequences and should not be undertaken lightly.

The attitude attributed by Servius to a previous generation of Roman lawmakers runs through a number of observations on the part of the jurists. Paulus, for instance, denies that those who surrender in battle to the enemy can enjoy *postliminium*,²⁵ and states that a deserter has no right of return even if his father is alive; for the father loses his son at the same time as does the fatherland, and military discipline has always mattered more to the Romans than affection for one's offspring.²⁶ Marcellus, meanwhile, allows the recovery of a horse lost in time of war on the grounds that the horse is capable of charging away without any blame pertaining to the rider; the same, however, does not hold for weapons, which cannot be lost without disgrace for the man wielding them.²⁷

It may seem paradoxical to turn to the opinions of Paulus, Marcellus, and Tryphoninus in order to elucidate the political underpinnings of mid-Republican law, but, as has already been observed, Tryphoninus associates the rules which he attests with principles stated by the

religious authority or ceremony at which a grant of *postliminium* might be made. Herrmann (1963) 169–71 addresses this point though the conclusions which she reaches are vitiated by an uncritical faith in the historicity of the Regulus story.

²⁵ Paulus, *ad Sabinum* 2 = *Digest* 49. 15. 17: 'postliminio carent, qui armis victi hostibus se dederunt.'

²⁶ Paulus, *ad Sabinum* 16 = *Digest* 49. 15. 19. 7: 'filius quoque familias transfuga non potest postliminio reverti neque vivo patre, quia pater sic illum amisit, quemadmodum patria, et quia disciplina castrorum antiquior fuit parentibus Romanis quam caritas liberorum.' For the needs of the fatherland privileged over the protective impulse of the father, see also Arrius Menander, *de re militari* 1 = *Digest* 49. 16. 4. 11–12.

²⁷ Marcellus, *digesta* 39 = *Digest* 49. 15. 2. 1–2: 'equus item aut equa freni patiens recipitur postliminio; nam sine culpa equitis proripere se potuerunt. non idem in armis iuris est, quippe nec sine flagitio amittuntur: arma enim postliminio reverti negatur, quod turpiter amittuntur.' For punishments attendant on the loss of arms, see also Modestinus, *de poenis* 4 = *Digest* 49. 16. 3. 13; Paulus, *de poenis militum* = *Digest* 49. 16. 14. 1. For the punishment of *transfugae*, see Modestinus, *de poenis* 4 = *Digest* 49. 16. 3. 3, 6, 8–9, 11–12 cf. Tarruntius Paternus, *de re militari* 2 = *Digest* 49. 16. 7. The reluctance of De Visscher (1939) 380 n. 47 to take Marcellus seriously is mistaken.

Republican jurist Servius and attributed by that writer to an earlier generation still. Indeed what emerges most strikingly in this matter is the continuity of principle across the centuries. In this context, therefore, it may be pertinent to observe the degree to which rules recorded in the *Digest* state explicitly what exemplary anecdotes from the Republican period attempt to convey through narrative. Marcellus, for instance, has already been quoted for the statement that it is impossible to recover weapons lost in war because these can only be lost in a dishonourable manner, while Modestinus lists the punishments attendant on such a loss. For a positive protreptic to the soldiers to hold on to their arms and fight to recover them should they be lost, why look further than the tales regarding the son of Cato the Elder and his sword lost and regained in the fighting at Pydna?²⁸ Paulus, in turn, asserts the inability of a deserter to return by *postliminium* even if the father is alive, and adds that this is in tune with the eternal Roman conviction that a father's affection must come second to the discipline of the army. What better way to bring home this underlying principle than to relate tales such as those of L. Iunius Brutus and of T. Manlius Torquatus where it is precisely the father who is compelled to demonstrate the ethical priority of the state by executing a son or sons whose actions threaten to bring it to disorder?²⁹ Modestinus even cites a law prohibiting soldiers from entering the camp via the rampart or walls, which bears an important relationship to the myth of the death of Remus. To do so is to act as an enemy; a friend or citizen has no reason not to present himself at the front gate.³⁰ What links exemplary anecdote and late-

²⁸ Val. Max. 3. 2. 16; Plu. *Cat. Ma.* 20. 10–11, *Aem.* 21. 1–5; Iust. 33. 2. 1–4.

²⁹ Verg. *Aen.* 6. 823 says of Brutus' decision that 'vincet amor patriae laudumque immensa cupido'. Liv. 8. 7. 16 has T. Manlius Torquatus tell his son that 'quantum in te fuit, disciplinam militarem, qua stetit ad hanc diem Romana res, solvisti meque in eam necessitatem adduxisti, ut aut rei publicae mihi aut mei obliviscendum sit'. For the specific principle defended by Torquatus, that the soldier must never act contrary to the command of the general, cf. Modestinus, *de poenis* 4 = *Digest* 49. 16. 3. 15; 'in bello qui rem a duce prohibitam fecit aut mandata non servavit, capite punitur, etiamsi res bene gesserit.' See also Val. Max. 2. 7. 3–6 for the account of Roman generals obliged to punish their kin in the name of discipline and esp. the 2. 7. 6 apostrophe to Torquatus describing him as 'satiatus esse iudicans patrem forti filio quam patriam militari disciplina carere'. The same principle can also be invoked when constitutional propriety induces a son to treat his father harshly. See Plu. *Fab.* 24. 2–4, esp. 4 for Fabius Maximus who approves his consul son's order to him to dismount and remarks that he and his ancestors made Rome great by always putting parents and children second to the good of the state (ἐν δευτέρῳ καὶ γονεῖς καὶ παῖδας αἰετῶν τῆς πατρίδος καλῶν τιθέμενοι).

³⁰ Modestinus, *de poenis* 4 = *Digest* 49. 16. 3. 17–18: 'nec non et si vallum quis transcendat aut per murum castra ingreditur, capite punitur. si vero quis fossam transiluit, militia reicitur.' Cf. Liv. 1. 7. 2: 'vulgatior fama est ludibrio fratris Remum novos transiluisse

attested law must be the political hegemony of the mid-Republican senate: the general must be able to command, the soldier must learn to obey.

The denial to the captured soldier of any unconditional right of return by *postliminium* is a powerful deterrent against unauthorized surrender on the part of the individual soldier or unit of soldiers. This is what Tryphoninus finds in Servius and Servius in the lawmakers of the past. What is therefore critical is that the period to which we may take Servius to refer—the third and second centuries BC—provides a considerable body of evidence for just such harsh treatment of prisoners of war on the part of the senate. The evidence for this policy merits careful consideration and not just with a view to establishing the veracity or otherwise of the narratives handed down; for the importance of some of these stems from the fact that they are indeed fictions invented or embellished to exemplary end in the heat of later conflicts. All, moreover, whatever conclusions we may reach as to their historicity, are linked at some point by one crucial factor: the manifestation of an alternative impulse—that of familial affection for the man in chains—which is then necessarily repressed out of devotion to the well-being of the state. And it is here perhaps that they may have most to contribute to the interpretation of the *Captivi*.

The earliest evidence for senatorial severity towards Roman prisoners of war derives from the struggle against Pyrrhus. The indignant speech of Appius Claudius Caecus spurning the peace terms offered by Cineas and the austere resistance to temptation of C. Fabricius when sent as an ambassador to the enemy are the stuff of exemplary anecdote and annalistic embellishment. Yet even when the historical record divides into two fundamentally contradictory versions of the events of this campaign, the different narratives attest to the same principles and suggest a consistent policy.

Ancient accounts of the events subsequent to the Roman defeat at Heraclea fall into two groups, the crucial distinction between which is the relative ordering of the embassy under Fabricius sent to ransom back the prisoners and that under Cineas sent to negotiate for peace at Rome. To Livy and to the historians dependent on him, Fabricius comes before Cineas; to Plutarch and Appian the opposite is the case. Both traditions contain evidence of crucial importance for this investigation.

muros; inde ab irato Romulo, cum verbis quoque increpitans adiecisset, "sic deinde, quicumque alius transiliet moenia mea," interfectum.'

The Livian tradition begins with the aftermath of Heraclea and claims that Pyrrhus treated the prisoners taken at Heraclea with corrupting indulgence.³¹ The next event is the dispatch of the embassy of Fabricius to negotiate for the ransoming back of the prisoners and the offer of Pyrrhus to return them at no cost.³² That this is the context for the famous speech of Pyrrhus in Ennius and that it comes before both Ausculum and the embassy of Cineas has been convincingly argued by Skutsch.³³ Fabricius and his men take the prisoners and return to Rome.³⁴ Yet the fate of the former prisoners is not an entirely happy one. For the senate take ill to their having allowed themselves to be captured, stigmatize them, and deny them full status until they have proved themselves in line of battle: all will be held to be *infames* until they bring back the spoils of two of their foes.³⁵ Military discipline is clearly put above all else and the exemplary punishment of these men warns other troops that they cannot presume to recover their full citizen status should they be taken. There is no explicit reference in the sources to an appeal for return to citizen status by *postliminium* on the part of the soldiers ransomed back by Rome, but the reference to their state of *infamia* is telling. For *infamia* is the status held by one subject to official punishment for a variety of offences, and consequently deprived of the full rights and status of a Roman citizen, and equates closely to the position known as *capitis deminutio*. Until each of these soldiers can produce the spoils of two enemy soldiers, what *postliminium* is understood to grant will therefore be denied to them.³⁶

The second tradition tells another tale of resistance to temptation and stern chastisement of troops who fail. According to Plutarch and Appian, one of the various measures taken by Cineas in order to weaken the resolve of the Romans is to offer them the return of the Heraclea prisoners without ransom should they accept the peace terms

³¹ D.C. 9. 23 cf. Liv. *per.* 13; Flor. 1. 13, 15; Eutr. 2. 11. 2–3.

³² Liv. *per.* 13; Eutr. 2. 12. 2.

³³ Enn. *ann.* 183–90 Sk. = Cic. *off.* 1. 38. See the comments of Skutsch (1985) ad loc. and id. (1968) 10–11.

³⁴ Zonar. 8. 4 has Cineas favour the return of the men without ransom as a preparatory step prior to his embassy. The Romans take the men but are not corrupted by the gift.

³⁵ Eutr. 2. 13. 2: ‘tum Romani iusserunt captivos omnes, quos Pyrrus reddiderat, infames haberi, quod armati capi potuissent, nec ante eos ad veterem statum reverti, quam si binorum hostium occisorum spolia retulissent.’ See also Val. Max. 2. 7. 15b and Frontin. *strat.* 4. 1. 18 for detailed accounts of the indignities inflicted on these soldiers and cf. Liv. 25. 6. 3, 15–16; Zonar. 8. 4.

³⁶ For the quasi-judicial status of *infamia*, see esp. Greenidge (1894), Sohm (1907) 182–5.

which he brings.³⁷ The decisive intervention against this proposal is the speech of Caecus, and Cineas is sent away. It is only after this that the embassy of Fabricius is sent out to ransom back the men. At this point Plutarch recounts various attempts on the part of Pyrrhus to tempt or to alarm Fabricius himself and tells of the unbending resistance of the latter.³⁸ Plutarch then appends an intriguing tale the importance of which depends fundamentally on the ideas and associations which it encodes and is therefore unaffected by the fact that modern historians dismiss it as an annalistic fiction:

τοιοῦτος μὲν ὁ Φαβρίκιος. ὁ δὲ Πύρρος οὐ πρὸς ὀργὴν οὐδὲ τυραννικῶς ἐδέξατο τὸν λόγον, ἀλλὰ καὶ τοῖς φίλοις ἀπήγγειλε τοῦ Φαβρικίου τὴν μεγαλοφροσύνην, καὶ τοὺς αἰχμαλώτους ἐκείνῳ μόνῳ διεπίστευσεν, ὅπως, εἰ μὴ ψηφίσαιτο τὴν εἰρήνην ἢ σύγκλητος, ἀσπασάμενοι τοὺς προσήκοντας καὶ τὰ Κρόνια διορτάσαντες ἀποπεμφθεῖεν πάλιν πρὸς αὐτόν. καὶ ἀπεπέμφθησαν μετὰ τὴν ἑορτήν, τῷ ὑπολειφθέντι τῆς βουλῆς ζημίαν θάνατον ψηφισαμένης.

Such a man was Fabricius. Yet Pyrrhus did not react to his words in anger or as a tyrant, but reported the magnanimity of Fabricius to his friends and entrusted the prisoners to him alone with the terms that, should the senate vote against peace, they, having greeted their family and celebrated the Saturnalia, should be sent back to him. And they were sent back after the festival, the senate having voted for the death penalty for any man who was left behind.³⁹

This story is only corroborated by Appian who adds that the prisoners exhorted the senate to accept the peace but that this was refused.⁴⁰ That it is a fiction is the verdict of Hamburger and Lévêque.⁴¹ Yet whoever created this tale chose to emphasize certain significant components and, in doing so, makes some crucial associations. It is, for instance, striking that this is now the second time that the Roman state has declined to take back these men with no charge if this means accepting the peace terms offered by the king. There is no record here of their inflicting *infamia* on the prisoners but only because they do not take them back at all. Yet perhaps the most important component is the claim that the prisoners are released for the duration of the Saturnalia. This detail is identified by Lévêque as just the sort of false precision which proves the fictionality of the tale; that this particular festival

³⁷ Plu. *Pyrrh.* 18. 6; App. *Sam.* 10. 1.

³⁸ Plu. *Pyrrh.* 20. 1–9.

³⁹ Plu. *Pyrrh.* 20. 10.

⁴⁰ App. *Sam.* 10. 5.

⁴¹ Hamburger (1927) 62; Lévêque (1957) 367.

should have suggested itself may be explained in terms of the tradition that prisoners should be released from their chains for the duration of the Saturnalia.⁴² For the student of Roman comedy, however, it has the extra importance of being the festival at which Romans more generally enacted a temporary reversal of traditional authority. In the case of the *familia*, this involves the subversion of the power of the *paterfamilias* and the temporary empowerment of his slaves. Here, the reference to the permission granted to the prisoners to embrace their relatives before they return to their captor suggests that the Saturnalia is the period in which the traditional privileging of *patria* over *pater* is subverted and the yearning of the father, of the family, to recover a son permitted temporary realization.⁴³

The attitude ascribed to the senate in the time of Pyrrhus is markedly similar to that demonstrated in the aftermath of the Battle of Cannae at the height of the Second Punic War. Here too catastrophic defeat led many into disrepute. One group who survived the battle escaped to Canusium and there P. Furius Philus and M. Caecilius Metellus so despaired of Rome as to propose seeking refuge with a foreign king.⁴⁴ Livy attributes the rejection of this plan to the swift intervention of the future Scipio Africanus,⁴⁵ and records the punishment of the conspirators by the censors of 214 BC.⁴⁶ That portion of the army which favoured the abandonment of Italy is then exiled to Sicily for the duration of the war; it is not discharged from service but nor do its members enjoy the full status of Roman citizen troops.⁴⁷ The description of this punishment as *ignominia* brings it into the same legal category as the *infamia* inflicted on the prisoners ransomed back from Heraclea and suggests that they suffer *capitis deminutio*.⁴⁸ Where once *postliminium* served as

⁴² Liv. 5. 13. 8.

⁴³ For reversal as a central characteristic of the Saturnalia, see esp. Versnel (1993) 157–63. For the purposes of this argument it is also important to emphasize the strongly domestic character of much Saturnalian ceremony. For this see Beard *et al.* (1998) i. 50, cf. Versnel (1993) 147–50.

⁴⁴ Liv. 22. 53. 4–5. The use of *transfugiant* at 22. 53. 5 places these men in the category of *transfugae*. As such they have no claim to *postliminium*. See Paulus, *ad Sabinum* 16 = *Digest* 49. 15. 19. 7.

⁴⁵ Liv. 22. 53. 6–13.

⁴⁶ Liv. 24. 18. 3–4, 24. 43. 3. See also 27. 11. 12–14 for ongoing hostility as the censors of 209 BC choose new senators: ‘inde alius lectus senatus octo praeteritis, inter quos M. Caecilius Metellus erat, *infamis* auctor deserendae Italiae post Cannensem cladem.’

⁴⁷ Liv. 25. 5. 10–11, 25. 6. 16–19, 25. 7. 4, 26. 1. 7–10, 26. 2. 14–16, 27. 7. 12–13, 27. 9. 3–4, 29. 24. 11–14; Val. Max. 2. 7. 15. For the soldiers still serving but without full citizen status, see esp. Liv. 26. 2. 16 ‘relegatos prope in exsilium ignominiosam pati militiam’.

⁴⁸ For these soldiers suffering *ignominia*, see Liv. 25. 6. 11, 18–19, 26. 1. 10, 26. 2. 16, 27. 7.

the formal reversal of the voluntary abandonment of Roman citizen status by *exilium*, now this quasi-*exilium* takes on an explicitly punitive character and enforces the denial of *postliminium* by keeping the victim at a safe distance not just from the familial threshold but indeed from the *patria* as a whole.

A second and more substantial group consists of those taken prisoner at Cannae. It is noteworthy that the concluding example of the excellence of the Roman state at the time of Hannibal furnished by Polybius in his book 6 excursus on the Roman constitution should be the attitude of the senate to these prisoners and to the embassy sent to negotiate for their ransom.⁴⁹ Since this episode is of central importance to the argument which I wish to pursue in this chapter, it is appropriate to set out the remarks of Polybius in full:

τῶν δὲ συναπτόντων μερῶν τῆς ἱστορίας τοῖς καιροῖς, ἀφ' ὧν παρεξέβημεν, παραλαβόντες ἐπὶ βραχὺ μιάς πράξεως ποιησόμεθα κεφαλαιώδη μνήμην, ἵνα μὴ τῷ λόγῳ μόνον ἀλλὰ καὶ τοῖς πράγμασι, ὥσπερ ἀγαθοῦ τεχνίτου δείγμα τῶν ἔργων ἔν τι προενεγκάμενοι, φανεράν ποιήσωμεν τῆς πολιτείας τὴν ἀκμὴν καὶ δύναμιν, οἷα τις ἦν κατ' ἐκείνους τοὺς χρόνους. Ἀννίβας γὰρ ἐπειδὴ τῇ περὶ Κάνναν μάχῃ περιγεγόμενος Ῥωμαίων ἐγκρατὴς ἐγένετο τῶν τὸν χάρακα φυλαττόντων ὀκτακισχιλίων, ζωγρήσας ἅπαντας συνεχώρησε διαπέμπεσθαι σφίσι πρὸς τοὺς ἐν οἴκῳ περὶ λύτρων καὶ σωτηρίας. τῶν δὲ προχειρισμένων δέκα τοὺς ἐπιφανεστάτους, ὀρκίσας ἡ μὴν ἐπανήξειν πρὸς αὐτόν, ἐξέπεμψε τούτους. εἷς δὲ τῶν προχειρισθέντων ἐκπορευόμενος ἐκ τοῦ χάρακος ἤδη, καὶ τι φήσας ἐπιλελῆσθαι, πάλιν ἀνέκαμψε, καὶ λαβὼν τὸ καταλειφθὲν αὐθις ἀπελύετο, νομίζων διὰ τῆς ἀναχωρήσεως τετηρηκέναι τὴν πίστιν καὶ λευκέναι τὸν ὄρκον. ὧν παραγενομένων εἰς τὴν Ῥώμην, καὶ δεομένων καὶ παρακαλούντων τὴν σύγκλητον μὴ φθονῆσαι τοῖς ἐαλωκόσι τῆς σωτηρίας, ἀλλ' ἑᾶσαι τρεῖς μνᾶς ἕκαστον καταβαλόντα σωθῆναι πρὸς τοὺς ἀναγκαίους· τοῦτο γὰρ συγχωρεῖν ἔφασαν τὸν Ἀννίβαν· εἶναι δ' ἀξίους σωτηρίας αὐτούς· οὔτε γὰρ ἀποδεδειλιάκεναι τῆς Ῥώμης, ἀλλ' ἀπολειφθέντας τὸν χάρακα τηρεῖν, πάντων ἀπολομένων τῶν ἄλλων ἐν τῇ μάχῃ τῷ καιρῷ περιληφθέντας ὑποχειρίου γενέσθαι τοῖς πολεμίοις. Ῥωμαῖοι δὲ μεγάλοις κατὰ τὰς μάχας περιπεπτωκότες ἐλαττώμασι, πάντων δ' ὡς ἔπος εἰπεῖν ἐστερημένοι τότε τῶν συμμάχων, ὅσον οὐπω δὲ προσδοκῶντες τὸν περὶ τῆς πατρίδος αὐτοῖς ἐκφέρεσθαι κίνδυνον, διακούσαντες τῶν λεγομένων οὔτε τοῦ πρέποντος αὐτοῖς εἷξαντες ταῖς συμφοραῖς ὠλιγόωρησαν οὔτε τῶν δεόντων οὐδὲν τοῖς λογισμοῖς παρείδον, ἀλλὰ συνίδοντες τὴν Ἀννίβου πρόθεσιν, ὅτι

13, 29. 24. 11. For the legal status of *ignominia*, see Greenidge (1894) 4 and n. 1. Weissenborn and Müller (1963) at Liv. 25. 6. 19 connect the *ignominia* suffered with relegation to the *aerarii* and cite Liv. 24. 18. 6, 26. 28. 11, 27. 11. 15.

⁴⁹ Plb. 6. 58.

βούλεται διὰ τῆς πράξεως ταύτης ἅμα μὲν εὐπορήσαι χρημάτων, ἅμα δὲ τὸ φιλότιμον ἐν ταῖς μάχαις ἐξελέσθαι τῶν ἀντιταττομένων, ὑποδείξας ὅτι τοῖς ἡττημένοις ὅμως ἐλπίς ἀπολείπεται σωτηρίας, τοσοῦτ' ἀπέσχον τοῦ ποιῆσαι τι τῶν ἀξιουμένων ὥστ' οὔτε τὸν τῶν οἰκείων ἔλεον οὔτε τὰς ἐκ τῶν ἀνδρῶν ἐσομένης χρείας ἐποίησαντο περὶ πλείονος, ἀλλὰ τοὺς μὲν Ἀννίβου λογισμοὺς καὶ τὰς ἐν τούτοις ἐλπίδας ἀπέδειξαν κενάς, ἀπειπάμενοι τὴν διαλύτρωσιν τῶν ἀνδρῶν, τοῖς δὲ παρ' αὐτῶν ἐνομοθέτησαν ἢ νικᾶν μαχομένους ἢ θνήσκειν, ὡς ἄλλης οὐδεμιᾶς ἐλπίδος ὑπαρχούσης εἰς σωτηρίαν αὐτοῖς ἡττωμένοις. διὸ καὶ ταῦτα προθέμενοι τοὺς μὲν ἐννέα τῶν πρεσβευτῶν ἐβελοντὴν κατὰ τὸν ὄρκον ἀναχωροῦντας ἐξέπεμψαν, τὸν δὲ σοφισάμενον πρὸς τὸ λύσαι τὸν ὄρκον δῆσαντες ἀποκατέστησαν πρὸς τοὺς πολεμίους, ὥστε τὸν Ἀννίβαν μὴ τοσοῦτον χαρῆναι νικήσαντα τῇ μάχῃ Ρωμαίους ὥς συντριβῆναι καταπλαγέντα τὸ στάσιμον καὶ τὸ μεγαλόψυχον τῶν ἀνδρῶν ἐν τοῖς διαβουλοῖς.

But drawing now upon the period immediately subsequent to the date at which I abandoned my narrative to enter on this digression, I will make brief and summary mention of one occurrence; so that, as if exhibiting a single specimen of a good artist's work, I may make manifest not by words only but by actual fact the perfection and strength of principle of the state such as it then was. Hannibal, when, after his victory over the Romans at Cannae, the eight thousand who garrisoned the camp fell into his hands, after making them all prisoners, allowed them to send a deputation to those at home on the subject of their ransom and release. Upon their naming ten of their most distinguished members, he sent them off after making them swear that they would return to him. One of those nominated just as he was going out of the camp said he had forgotten something and went back, and after recovering the thing he had left behind again took his departure, thinking that by his return he had kept faith and absolved himself of his oath. Upon their arrival in Rome they begged and entreated the senate not to grudge the prisoners their release, but to allow each of them to pay three minae and return to his family; for Hannibal, they said, had made this concession. The men deserved to be released, for they had neither been guilty of cowardice in the battle nor had they done anything unworthy of Rome; but having been left behind to guard the camp, they had, when all the rest had perished in the battle, been forced to yield to circumstances and surrender to the enemy. But the Romans, though they had met with severe reverses in the war, and had now, roughly speaking, lost all their allies and were in momentary expectation of Rome itself being placed in peril, after listening to this plea, neither disregarded their dignity under the pressure of calamity, nor neglected to take into consideration every proper step; but seeing that Hannibal's object in acting thus was both to obtain funds and to deprive the troops opposed to him of their high spirit, by showing that, even if defeated they might hope for safety, they were so far from acceding to this request, that they did not allow their pity for their kinsmen, or the consideration of the service the men would render them, to prevail, but defeated

Hannibal's calculations and the hopes he had based on them by refusing to ransom the men, and at the same time imposed by law on their own troops the duty of either conquering or dying on the field, as there was no hope of safety for them if defeated. Therefore after coming to this decision they dismissed the nine delegates, who returned of their own free will, as bound by their oath, while as for the man who had thought to free himself from the oath by a ruse they put him in irons and returned him to the enemy; so that Hannibal's joy at his victory in the battle was not so great as his dejection, when he saw with amazement how steadfast and high-spirited were the Romans in their deliberations.

This account in Polybius of what he takes to encapsulate the best aspects of the Roman state in the time of Hannibal is cited by Cicero in the *De Officiis* as a counterpoint to another tale with which it has much in common, that of M. Atilius Regulus.⁵⁰ Cicero attributes an alternative version to the Greek histories of C. Acilius.⁵¹ Substantial accounts are also found in Livy,⁵² in Valerius Maximus,⁵³ and in Gellius.⁵⁴ Various aspects of the tale are pertinent to this investigation.

The first factor to emphasize is the statement by Polybius that the Romans of the time 'imposed by law on their own troops the duty of either conquering or dying on the field, as there was no hope of safety for them if defeated'. This is paralleled in Cicero, who states that the Romans refused to ransom back the men in order to instil in the minds of the soldiers the determination either to conquer or to die and adds that this attitude helped break the morale of Hannibal.⁵⁵ The parallel to the Servian account of the attitudes of previous generations to the grant of *postliminium* to returning prisoners of war is evident and suggests that this may be precisely the historical moment to which Servius alludes.⁵⁶ It is therefore significant that Gellius should refer to the claim of the relatives of the ten ambassadors that they should be entitled to stay on the grounds that they have returned by *postliminium*, even though he adds that eight of them decreed that their promise

⁵⁰ Cic. *off.* 1. 39–40, cf. 3. 113–15.

⁵¹ C. Acilius fr. 3 P = Cic. *off.* 3. 115.

⁵² Liv. 22. 61. 4–10 offers two somewhat conflicting versions of the story.

⁵³ Val. Max. 2. 9. 8.

⁵⁴ Gell. 6. 18.

⁵⁵ Cic. *off.* 3. 114: 'eos senatus non censuit redimendos, cum id parva pecunia fieri posset, ut esset insitum militibus nostris aut vincere aut emori. qua quidem re audita fractum animum Hannibalis scribit idem, quod senatus populusque Romanus rebus adfectis tam excelso animo fuisset.' See also Val. Max. 2. 7. 15c who refers to a figure of 6,000 men and describes the senate as 'memor tantam multitudinem armatorum iuvenum, si honeste mori voluisset, turpiter capi non potuisse.'

⁵⁶ See above pp. 63–4. See below p. 77 n. 8 for a further instance of this ideology.

to Hannibal invalidated this claim, and only two tricksters pressed the matter.⁵⁷ What this may well point to is a double reaction to the Cannae ambassadors by the senate: the immediate response will be to decline to ransom back the men; the next will be to construct their rejection as a precedent and use it as the basis for a formal assertion of the invalidity of claims to *postliminium* by soldiers who have once surrendered to the foe.⁵⁸

Attention must next be drawn to the degree to which the various narratives refer to the familial affection and yearning for reunion which the interests of the state necessarily override. Where Polybius has the senate suppress any pity for their kinsmen in the name of discipline, Livy notes two very different responses to the embassy among different social and political groupings: the senate reject the application even though they themselves have many relatives among the captured,⁵⁹ but their decision prompts considerable distress amongst the populace and the returning ambassadors are accompanied to the city gates by a considerable throng.⁶⁰ Gellius in turn juxtaposes the senate's hostility to any exchange of prisoners with the frustrated affection of kin who try to persuade the ambassadors to stay.⁶¹ Each of these

⁵⁷ Gell. 6. 18. 7–10. De Visscher (1939) 375–6 argues on the basis of Gellius' reference to the two tricksters who stay behind that the acquisition of *postliminium* is automatic in this period, but it may be wondered whether one labouring under censorial *infamia* and relegated to the *aerarii* has fully recovered the status of a citizen.

⁵⁸ Liv. 22. 23. 5–8, cf. Val. Max. 3. 8. 2, 4. 8. 1 and Plu. *Fab.* 7. 5–8, records dispute over a further exchange of prisoners negotiated between Fabius Maximus as dictator and Hannibal but impugned by the senate. Liv. 22. 23. 6 asserts that the man-for-man exchange of prisoners follows a precedent set in the First Punic War but has the senate hesitate over the ransoming back of a further 247 men on the grounds that they have not been consulted by Fabius. The reaction of Fabius is to sell his own lands in order to keep faith with Hannibal. Plu. *Fab.* 7. 6 has the senate assert a principle much like that followed in the Cannae debate when it censures Fabius for the inappropriate and unprofitable restitution of men who have fallen prey to the enemy thanks to their own cowardice (ὡς οὐ προπόντως οὐδὲ λυσitelῶς ἄνδρας ὑπὸ δειλίας πολεμίων ἄγραν γενομένους ἀνακομιζόμενοι). De Sanctis (1968) iii. 2. 50 n. 81 cf. iii. 2. 216 n. 33 is sceptical of claims concerning the personal expenditure of Fabius but treats the senatorial reluctance to ransom back the extra men as the first instance of the hard line taken in the aftermath of Cannae. ⁵⁹ Liv. 22. 61. 1.

⁶⁰ Liv. 22. 61. 3. See also Liv. 34. 3. 6–7 where the public gathering of women to demand the repeal of the Lex Oppia has Cato ask whether they do so 'ut captivi ab Hannibale redimantur parentes, viri, liberi, fratres earum?' He goes on to pray against any repetition of the Hannibalic crisis and then adds 'sed tamen, cum fuit, negastis hoc piis precibus earum'.

⁶¹ Gell. 6. 18. 6–7: 'permutatio senatui non placita. parentes cognati adfinesque captivorum amplexi eos postliminio in patriam redisse dicebant statumque eorum integrum incolumemque esse ac, ne ad hostes redire vellent, orabant.' Gellius goes on to state that the ambassadors refuse to stay because bound by their oath to return, but it is

narratives therefore conforms to the principle asserted in the *Digest* and discussed above: that the interests and desires of the *pater* must always come second to those of the *patria*.

The third factor is the emphasis in our sources on one or more tricksters amongst the ten ambassadors. Polybius refers to one man using a ruse to free himself (*sophisamenon*) and the Latin sources employ various terms to describe the cunning of the trickster or tricksters.⁶² It is intriguing that a late Latin jurist, Florentinus, should assert that the means of escape from the enemy—whether violence or deceit—have no bearing on entitlement to *postliminium*;⁶³ but this view is decidedly out of line with the sources for this episode. To Cicero, for instance, the actions of the trickster run counter to the ethical obligation to keep faith with an enemy.⁶⁴ When the censors of 214 BC exact punishment for this deceit, Valerius perceives them as asserting precisely this obligation.⁶⁵ Both writers, moreover, mine Roman history for evidence to suggest that such deceit is not just wrong in an absolute sense but also a violation of national tradition.⁶⁶ Livy, likewise, notes the funda-

evident that both they and their family would be more than happy for the senate to agree to the terms proposed by Hannibal.

⁶² Cic. *off.* 1. 40, 'iurisiurandi fraude', cf. 3. 113, 'reditu enim in castra liberatum se esse iureiurando interpretabatur, non recte: fraus enim astringit, non dissolvit periurium. fuit igitur stulta calliditas, perverse imitata prudentiam. itaque decrevit senatus ut ille veterator et callidus vinctus ad Hannibalem duceretur'; Liv. 22. 61. 4, 'fallaci reditu'; Gell. 6. 18. 9–10: 'commenticio consilio . . . fraudulenta calliditas'.

⁶³ Florentinus, Book 6 *institutiones* = *Digest* 49. 15. 26: 'nihil interest, quomodo captivus reversus est, utrum dimissus an vi vel fallacia potestatem hostium evaserit, ita tamen, si ea mente venerit, ut non illo reverteretur: nec enim satis est corpore domum quem redisse, si mente alienus est. sed et qui victis hostibus recuperantur, postliminio redisse existimantur.'

⁶⁴ Cic. *off.* 3. 107: 'est autem ius etiam bellicum, fidesque iuris iurandi saepe cum hoste servanda.' Dyck (1996) ad loc. rightly notes the overlap between Cicero's thought in this passage and the juristic distinction between *hostis* and *praedo*. See esp. Ulpian, *institutiones* 1 = *Digest* 49. 15. 24 and Pomponius, *ad Q. Mucium* 2 = *Digest* 50. 16. 118. Contrast Ulpian, *ad edictum* 11 = *Digest* 4. 3. 1. 3 who states that the 'veteres' allowed the use of what he defines as 'dolus bonus' against 'hostem latronemve'.

⁶⁵ Val. Max. 2. 9. 8: 'iam haec censura ex foro in castra transcendit, quae neque timeri neque decipi voluit hostem.'

⁶⁶ Cic. *off.* 1. 40: 'maximum autem exemplum est iustitiae in hostem a maioribus nostris constitutum, cum a Pyrrho perfuga senatui est pollicitus se venenum regi daturum et eum necaturum. senatus eum et C. Fabricius consul Pyrrho dedit: ita ne hostis quidem et potentis et bellum ultro inferentis interitum cum scelere approbavit', cf. Val. Max. 2. 9. 8, 'eos quoque gravi nota adfecerunt qui cum in potestatem Hannibalis venissent, legati ab eo missi ad senatum de permutandis captivis, neque impetrassent quod petebant, in urbe manserunt, quia et Romano sanguini fidem praestare conveniens erat et M. Atilius Regulus censor perfidiam notabat, cuius pater per summos cruciatus exspirare quam fallere Carthaginienses satius esse duxerat.'

mentally un-Roman character of the man guilty of this deed.⁶⁷ This construction of national character has obvious parallels with the issues addressed in my discussion of Plautus and Hannibal and will indeed have a major bearing on the *Captivi*. Looked at in these terms, the final return of Philocrates reasserts the obligation to keep *fides* with a foe as powerfully as his initial schemes rejected it.

One final point which must be noted emerges not from Polybius but from Valerius Maximus. For, while Polybius refers only to the senate's immediate refusal of the application of the ten Cannae ambassadors and the expulsion of the trickster, Valerius includes in his examples of censorial stigma the subsequent punishment meted out both to these men and to the associates of P. Furius Philus and M. Caecilius Metellus by the censors of 214 BC.⁶⁸ The crucial point here is that one of these censors is named as none other than M. Atilius Regulus, the son of perhaps the most notorious prisoner of war of third-century BC Rome. And, as has been noted by a number of scholars, the evolution of the myth of Regulus is inextricably linked with the political struggles of his son and of subsequent generations of Atilii.

Appointed to command the Roman forces in North Africa in the First Punic War, Regulus initially enjoyed considerable success and spurned the opportunity to conclude a favourable peace by the excessive severity of his demands.⁶⁹ When, however, the Spartan mercenary Xanthippus took control of the Carthaginian forces, Regulus suffered defeat and found himself a prisoner of the enemy.⁷⁰ Polybius identifies Regulus as an example of the mutability of fortune.⁷¹ Later Roman writers, however, elaborate the tale of Regulus sent back to Rome by the Carthaginians ostensibly in order to lead a request for the exchange of prisoners;⁷² of the oath of the general to return to Carthage should the senate refuse this offer; of the speech given by Regulus urging the senate to reject the very proposal he was meant to endorse; and finally of his noble return to Carthage, the cruel tortures inflicted on him and his death. A favourite theme of the Roman annalists,⁷³ Regulus is celebrated at length in the *De Officiis* and Horace, *Odes* 3. 5, and becomes a stock exemplar of rigorous morality in later Roman rhetoric and ethics.⁷⁴

⁶⁷ Liv. 22. 58. 8, 'minime Romani ingenii homo'.

⁶⁸ Val. Max. 2. 9. 8.

⁶⁹ Plb. 1. 31. 4-8.

⁷⁰ Plb. 1. 32-4.

⁷¹ Plb. 1. 35.

⁷² Other evidence suggests that Rome and Carthage were accustomed to exchanging prisoners during the First Punic War. See Liv. 22. 23. 6.

⁷³ Tuditanus fr. 5 P and Tubero fr. 9 P = Gell. 7. 4.

⁷⁴ Blättler (1945) is the best study of Regulus. Mix (1970) collects most of the ancient references to Regulus but does little with them.

The genesis of the Regulus legend is investigated by Klebs and is the subject of a brilliant study by Blättler.⁷⁵ The radical scepticism of Blättler is in part eschewed by Kornhardt, but her own analysis of the speech of Regulus in Horace may in turn be used to enforce his case.⁷⁶ Doubts with regard to the embassy of Regulus are traditionally based on the fact that it is nowhere mentioned by Polybius.⁷⁷ Here, however, a specific motive for the creation of the subsequent fiction is identified: Regulus is an all-too-perfect counterpoint for the Cannae ambassadors precisely because his story is fashioned to reflect the values which first the senate, then the censors of 214, assert in rejecting their appeal.⁷⁸ Thus, where the Cannae ambassadors beg the senate to ransom them back, Regulus finds every excuse to dissuade the same authority from doing this for himself and his peers; where the Cannae tricksters assert the validity of their claim to *postliminium* and therefore to citizen status, Regulus does everything to remind his audience that his captivity has stripped him of the rights of a Roman citizen;⁷⁹ where the family of the tricksters embrace them and appeal for them to be allowed to stay, Regulus shuns both his family and his home.⁸⁰ Polybius and Cicero, it will be recalled, attribute the refusal of the Cannae embassy to motives strikingly close to those which Servius cites in order

⁷⁵ Klebs at Pauly *RE* ii (1895–6) 2086–92 cf. Blättler (1945).

⁷⁶ Kornhardt (1954). The theory that the speech which Horace attributes to Regulus makes points more directly appropriate to the senatorial debate over the Cannae prisoners is first advanced by Kiessling-Heinze (1955) at *Hor. carm.* 3. 5. 25 and 31. Kornhardt's brilliant development of this case does much to enforce the claim of Blättler that the earlier episode is invented in order to supply a precedent for the senatorial response to the latter. It is, however, apparent from Kornhardt (1953) 29–30 that she believes in an independent and authentic juristic tradition according to which Regulus did take part in the embassy, applied for *postliminium* and was refused. Pais (1921) 423–4 appeals to the juristic background of Tuditanus when arguing for the authenticity of the very different version ascribed to him by Gellius. Yet one or both of these alleged juristic traditions must be false.

⁷⁷ Klebs at Pauly, *RE* ii (1895–6), 2088, cf. Pais (1921) 422–4; Frank (1926) 311–14; Walbank (1957) at *Pib.* 1. 35.

⁷⁸ Blättler (1945) 34–44. The statement of Val. Max. 2. 9. 8 that one of the two censors of 214 BC was none other than M. Atilius Regulus, the son of the hero, is crucial.

⁷⁹ *Hor. carm.* 3. 5. 42 has Regulus act 'ut capitis minor', implying that he condemns himself to less than citizen status. Kornhardt (1954) 103 points to *Eutr.* 2. 25. 1 for the claim that Regulus, on being led into the senate, 'nihil quasi Romanus egit, dixitque se ex illa die, qua in potestatem Afrorum venisset, Romanum esse desisse'. See also D.C. 11. 27 for Regulus acting *καθάπερ τις Καρχηδόνιος ἀλλ' οὐ Ρωμαῖος ὢν* and cf. Zonar. 8. 15 where Regulus protests that he remains a Roman in mind even if his body belongs to the Carthaginians. Suda s.v. *Ρήγουλος* has Regulus in the senate refuse the honours appropriate to a consular and claim *οὐ μετεῖναι τῆς πολιτείας αὐτῶι . . . ἀφ' οὗπερ ἡ τύχη δεσπότας αὐτῶι Καρχηδονίους ἐπέστησε*.

⁸⁰ *Cic. off.* 3. 99 lists among the specious 'utilia' which Regulus rightly rejects 'manere

to explain the reluctance of previous generations to grant *postliminium* to those captured in war. It is, I suspect, no accident that the summary furnished by ps-Acron of the example which the Horatian Regulus seeks to represent should take us back to something so close to the prose of the jurist.⁸¹

Captivitas and Comedy

The history of *postliminium* in the mid-Republican period is the history of senatorial hegemony. The struggle to overcome Pyrrhus, to drive Hamilcar from Sicily and finally to regain control of the Italian mainland from Hannibal fostered a particular unity of purpose the hallmark of which was deference to established authority. Later Latin writers insistently assert that Rome was never so great as in the days of Hannibal; it would be more pertinent to suggest that the senate was never so secure.⁸²

The senate did not respond to this security simply by conserving the structures of the state; it exploited the acquiescence won from the people by military emergency to push forward a programme of measures only reinforcing its control. The 216 BC reform of the *sacramentum*, the soldiers' oath of loyalty, is an obvious instance of this

in patria, esse domi suae cum uxore, cum liberis'. Hor. *carm.* 3. 5. 41–2 has Regulus reject 'pudicae coniugis osculum | parvosque natos', while 3. 5. 47 has him depart 'inter . . . maerentis amicos' and 3. 5. 51–2 has him push aside 'obstantis propinquos | et populum reditus morantem'. For Regulus rejecting wife, children, and former house, see also Sil. 6. 403–24 and 432–51; D.C. 11. 27. For Regulus embraced by friends and family as he quits Rome, see Zonar. 8. 15 ἀπρόντος δ' αὐτοῦ σὺν τοῖς πρέσβεσιν ἀντελάβοντο ἄλλοι τε καὶ οἱ παῖδες καὶ ἡ γυνή. Suda s.v. Πήγουλος describes how he voluntarily follows the Carthaginians τά τε δάκρυα τῶν οἰκείων καὶ τοὺς ὀλοφυρμούς ἀκλινῶς διωθισάμενος.

⁸¹ ps-Acron at Hor. *carm.* 3. 5. 13: 'HOC CAVERAT] id est nequis vitam ex captivitate speraret, sed potius pro libertate moreretur. captus enim Regulus imperator Romanus a Poenis, dum pro commutatione captivorum Romam missus ab Afris esset, hanc sententiam in senatu dixit: ne captivi aut mutarentur aut redimerentur et in posterum disciplina militaris tali exemplo deperiret, nec militi spes alia salutis nisi in armis esset. unde milites Crassi notat, qui Reguli dissimiles animo vitam captivitate pepigerint.' Cf. Porph. ad loc.: 'ne quis scilicet vitam captivitate speraret sed potius pro libertate moreretur.' ps-Acron offers a reasonable summary of the views which Regulus propounds at Hor. *carm.* 3. 5. 18–40 but the passages which I have italicized are far closer in tone to Tryphoninus, Book 4 *disputationes* = *Digest* 49. 15. 12: 'quod ideo placuisse Servius scribit, quia spem revertendi civibus in virtute bellica magis quam in pace Romani esse voluerunt.'

⁸² Cf. Sall. *hist.* fr. 11 M, 'optimis autem moribus et maxima concordia egit inter secundum atque postremum bellum Carthaginiense'.

process.⁸³ So too the discovery of a law of libel in the archaic provisions of the Twelve Tables.⁸⁴ The restrictive interpretation of rights to *postliminium* on the part of prisoners of war, the refusal to ransom back the troops taken at Cannae, the *ignominia* inflicted on others all contribute to this programme. Exemplary anecdotes and invented precedents in turn bolster its claims and communicate a harshly disciplinarian ideology of submission of the individual, and, more strikingly, of the family to the state, of the *pater* to the *patria*.

The *Captivi* is thus composed and performed in a world in which established authority has given considerable energy to the ideological construction of the group which gives it its name. Yet the version of conflict and imprisonment which the play communicates establishes it as a singularly more complex cultural production than is, for instance, the *Regulus* transmitted by Cicero, Horace, and the historians. The ensuing stages of this argument therefore seek to establish the relationship of the *Captivi* to the public voice surveyed above. In both, what becomes crucial is the play's sense of itself as the product of a genre with its own perspective on war and its own set of values. The results, however, are rather different. Where the first suggests that that relationship is essentially conflictual, the second finds at the heart of the play the celebration of the values for which a *Regulus* might be made to stand.

Reasserting the Domestic

At *Captivi* 261–2, Hegio explains to Philocrates that his own son Philopolemus is now a prisoner of war in Elis just as Philocrates is in Aetolia. 'We then', quips Philocrates, 'were not the only cowards.'⁸⁵ This is a subtle joke. And it is a joke at the expense of the unforgiving public voices which the preceding sections of this chapter have summarized, the voices which call for men to fight and frame laws designed to

⁸³ Liv. 22. 38. 1–5; Frontin. *strat.* 4. 1. 4. The soldiers' oath of mutual obligation becomes one of fealty to the general.

⁸⁴ The tradition that the poet Naevius was imprisoned for his attacks on the Metelli derives from ps-Ascon. at Cic. *Verr.* 1. 29; Suet. *vita Naev.* fr. 1 Rostagni = Hier. *chron.* ad Ol. 144. 3 = 201 BC, cf. Gell. 3. 3. 15. Frank (1927) 105–10 sees Cic. *rep.* 4. 12 = Aug. *civ.* 2. 9, 'si quis occentavisset sive carmen condidisset quod infamiam faceret flagitiumve alteri' as a wartime modification or interpretation of a clause in the XII Tables designed to ban magical incantation, and suggests that this was the weapon used to silence the poet. Momigliano (1942) argues for the possible existence of an archaic law of libel.

⁸⁵ Plaut. *Capt.* 262: 'non igitur nos soli ignavi fuimus'. For another interpretation of this line, see Moore (1998) 183.

make them choose either victory or death. It is entirely possible that Philocrates and Tyndarus really did fight like cowards, but the *Captivi* supplies no evidence to prove the point either way. Indeed, it leaves its audience precisely as ignorant of how they fought as they in turn must be of the true deeds of Philopolemus.⁸⁶ The only people who can conclude that a stranger was a coward just because he was taken prisoner are those for whom every prisoner is automatically and indisputably a funk.

Philocrates' joke hints at all the public voices and public imperatives whose presence is so marginal within the play. For all that there is a war on, there are signal limitations to how it is permitted to intrude on the stage. This point is emphasized in the prologue to the play:

ne vereamini,
 quia bellum Aetolis esse dixi cum Aleis:
 foris illic *extra scaenam* fient proelia.
 nam hoc paene iniquomst, *comico choragio*
conari desubito agere nos tragoediam.
 proin si quis pugnam expectat, litis contrahat:
 valentior nactus adversarium
 si erit, *ego faciam ut pugnam inspectet non bonam,*
adeo ut spectare postea omnis oderit.
 abeo. valet, iudices iustissimi
 domi duellique duellatores optumi.

Do not be afraid because I have said that there is a war on between the Aetolians and the Eleans: the battles will take place outside, over there and off the stage. For it would be almost wrong for us suddenly to try to put on a tragedy when all our settings are comic. So, if anyone is waiting for a fight, let him pick a quarrel; if he finds his opponent on the strong side, I'll make sure he sees a fight ugly enough to make him reluctant to see any more from then on. I'm off. Farewell, judges most just and most excellent warriors at home and in the field.⁸⁷

Most striking here is the threefold statement in v. 60 of the extra-scenic world where battles will be fought: outside, over there, and off the stage

⁸⁶ Inasmuch as they are Plautine characters, it would, however, be more surprising were Philocrates and Tyndarus to behave heroically in time of war. For the ignoble attitude to battle typical of the comic hero, see Plaut. *Epid.* 29–38, *Trin.* 723–4. In the lengthy battle narrative at Plaut. *Amph.* 186–261, the tension between genres typical of the tragicomedy emerges in the contrast between the heroic deeds attributed by Sosia to the army and its general and his own decidedly unheroic response at 197–9, 254, cf. 424–32.

⁸⁷ Plaut. *Capt.* 58–68.

(*foris illic extra scaenam fient proelia*).⁸⁸ There is a place for such themes in Roman drama but only in the world of tragedy. That there is also a place for them in Roman life is emphasized by the envoi: the Roman audience are addressed as men who have experience of war, who know what it means. And where the tragic form and the personal experiences of the spectators intersect must be in the Roman historical drama known as the *praetexta*: how many Romans had fought with Marcellus at Clastidium only then to see their experiences staged by Naevius?⁸⁹ The public voice of such Roman tragedy is evident from the prologue of the *Amphitryon* and its very similar negotiation of its own generic status.⁹⁰

A comedy set in time of war has an insecure position within the genre: should the events taking place outside invade the stage itself, it will mutate into a tragedy. In order to preserve its status as a comedy, the play must concentrate on specific experiences of war which correspond to the characteristic concerns of the form as whole. And the prologue has already hinted at how this is to be achieved: Hegio deals in slaves but only in order to recover the son whom he has lost and bring him back home.⁹¹ The end to which the *Captivi* is heading is thus identical to that found in the *Menaechmi*, the *Rudens*, and the *Poenulus*: a family reunited and a *domus* remade. The aspirations which it will realize are both authentically comic and identical to those which the public imperatives of the post-Cannae senate and the harsh interpretation of *postliminium* will sacrifice to the greater interests of the state.⁹² Where

⁸⁸ Lefèvre (1998) 33–4 notes the importance of these lines and argues that ‘foris illic extra scaenam fient proelia’ refers to the presentation of a ‘praetexta’ on an alternative stage at the same festival. I take them as meaning that the depiction of battle *per se* would be incompatible with the generic status of the *Captivi* as comedy: they will ‘happen’ in the sense that they must happen for a play about prisoners of war to make sense, but the play itself will only depict events peripheral to or consequent on such strife.

⁸⁹ Naev. *praetext.* 1–2.

⁹⁰ See esp. Plaut. *Amph.* 41–4: ‘nam quid ego memorem (ut alios in tragoediis | vidi, Neptunum Virtutem Victoriam | Martem Bellonam, commemorare quae bona | vobis fecissent) quis bene factis meus pater, | deorum regnator * architectus omnibus?’ Ladewig (1869), cf. Ribbeck (1897) 331, argues that these lines, like Plaut. *Capt.* 58–68, allude to the *praetexta*. For arguments in favour of their potential reference to Roman adaptations of Greek tragedy, see Leo (1912) 212 n. 6; Skutsch (1968) 174–7. For arguments associating Plaut. *Capt.* 58–68 with the *praetexta*, see also Lefèvre (1998) 33–4, 46.

⁹¹ See esp. Plaut. *Capt.* 30–5: ‘et quoniam heri indaudivit, de summo loco | summoque genere captum esse equitem Aleum, | nil pretio parsit, filio dum parceret: | reconciliare ut facilius posset domum, | emit hosce e praeda ambos de quaestoribus.’

⁹² For a comparable comic perspective, see the exchange of Demeas and Getas at Men. *Mis.* 632–7 concerning the arrival from Cyprus of the former and the capture in war of his daughter with whom he has been reunited at 611–16. Note esp. 634–5 and Demeas’

they insistently privilege the *patria* over the *pater*, the *Captivi* acknowledges no difference between the two.⁹³

The *Captivi*, therefore, can remain a comedy only as long as it confines itself to the domestic consequences of war. Whatever aims motivated the states of Elis and Aetolia to make war on each other are left as marginal to the drama as the details of the battles themselves. Other factors, meanwhile, take centre stage. This is most obviously the case with regard to the parasite Ergasilus. For he becomes a recurrent reminder of the impact of war on the things in which comedy takes delight: a patron has been lost and with him the life of feasting and frivolity in which his client thrives.⁹⁴ When Ergasilus finally brings news of the end of the war and the return of Philopolemus, he is able to adopt a self-consciously comic role as he turns himself into a running slave.⁹⁵ The ferocity of his feasting underlies the long denial of the world now restored.⁹⁶

The vigorous humour of the Ergasilus scenes relates significantly to other more muted, even pathetic moments in the play. It is, for instance, worth considering in which ways the characters identify with either Elis or Aetolia. These, in short, are the places where they live or whence they came; they are the location of the *domus* to which they seek

comment on the dispersal of his family by war the common enemy (ὁ κοινὸς ἐχθρὸς πόλεμος). Demeas does not identify with one or other group of combatants but rather with humanity as a whole. The end of comedy will be to make good the harm done by war and reunite the family. For peace as the facilitator of these aspirations, see Ar. *Pax* 974–7, *Th.* 1147, and esp. Philem. *Pyrrh.* fr. 74 K-A = Stob. 4. 14. 5. For the comic indictment of war, see also Men. fr. 779 K-A = Stob. 4. 14. 9. For the absence of ‘pax’ *per se* from the public ideals of 3rd–2nd century BC Rome, see Harris (1979) 35–6.

⁹³ See esp. Plaut. *Capt.* 42–3 for the statement that Tyndarus will rescue his brother and restore him to his fatherland and to his father (‘eodemque pacto fratrem servabit suum | reducemque faciet liberum in patriam ad patrem’).

⁹⁴ Plaut. *Capt.* 69–109, esp. 92–7. For a similar motif, see Gelasimus at Plaut. *Stich.* 214, cf. 137.

⁹⁵ Plaut. *Capt.* 778–80: ‘nunc certa res est, eodem pacto ut comici servi solent | coniciam in collum pallium, primo ex med hanc rem ut audiat | speroque me ob hunc nuntium aeternum adepturum cibum.’

⁹⁶ Contrast the tendency of analytical criticism to identify Ergasilus as a Plautine insertion into the presumed Greek original designed to recall the sentimental drama to full comic vigour. For a survey of this position, see Lefèvre (1998) 9–14, 26–7, 31, 40. Benz (1998) is a thoroughgoing assertion of the importance of oral improvisatory drama, especially the Atellane Manducus-Dossennus, in the creation of Ergasilus. Lowe (2002) is sympathetic to Lefèvre and Benz as regards Ergasilus but questions Lefèvre’s theory of radical Plautine rewriting of the notional Greek original. See also the rather different approach to the figure of Ergasilus adopted in Leach (1969), esp. 286–92. Segal (1987) 195–8 and 207–8 bases much of his reassertion of the fundamentally comic character of the *Captivi* on the presence of Ergasilus.

to return. But no character takes overt pride in being a representative of the Elean or the Aetolian state; nobody feels any obligation to act in a particular way because he is an Elean or an Aetolian. Rather, they see themselves and each other as fathers and sons, as belonging to a *domus* and a *familia*, and this scaling down of our perspective on war to the confines of comedy can promote a significant universalization of experience. This emerges clearly at vv. 388–400. Here Tyndarus playing the role of Philocrates first instructs his putative slave to greet his father, his mother, his relations, and his friends,⁹⁷ then reminds him of the terms of the ransom agreed with Hegio and urges him to explain these to his father.⁹⁸ At this point, Hegio intervenes to remind the messenger of the urgency of this scheme:

HEG. at quamprimum pote: istuc in rem utriquest maxime.

PHILOCR. non tuom tu magis videre quam ille suom gnatum cupit.

HEG. meus mihi, suos cuique est carus.

HEG. But do it as soon as you can: that is crucial to both of us.

PHILOCR. You do not wish to see your son any more than he wishes to see his.

HEG. My son is dear to me, each man's son is dear to him.

Hegio has never met the father of Philocrates but he knows that their common experience as fathers has far more to bring them together than their citizenship of rival nations has to set them apart. Once again the *Captivi* reasserts the very emotional impulses which Roman public discourse relegates to the margins.

Tricksterism and Escape

The end which the *Captivi* embraces is that of returning the prisoner to his home and reuniting families scattered by war. These are the authentic demands of comedy, and that greater good potentially served by legislation frustrating their realization has as little place in the drama as the rulers who propound them or the nations they represent. What though of the means by which this end is realized and the actions which follow on from its realization? It is with these issues that I propose now to engage.

My analysis of the various narratives of the Cannae prisoners and their embassy to Rome noted the emphasis placed on the activity of one or more tricksters who leave Hannibal's camp, pretend to have forgot-

⁹⁷ Plaut. *Capt.* 389–90: 'omnium primum salutem dicito matri et patri | et cognatis et si quem alium benevolentem videris'.

⁹⁸ Plaut. *Capt.* 391–8.

ten something as a pretext for re-entry, and then maintain that this fulfils their solemn promise to return. The same sources then record the hostility of the senate, the censors, and the crowd to such behaviour, and themselves reject it as both ethically wrong and out of keeping with Roman tradition. Deception is, of course, also the standard tactic of the Plautine slave and the behaviour of the Cannae tricksters bears an obvious resemblance to the means by which Tyndarus and Philocrates secure the return of the latter. Is this then another instance where the *Captivi* reinscribes a suppressed sympathy for the prisoner of war? If so, how does it relate to the very different values asserted in the final scenes of the play?

Capture in war has turned Philocrates into a slave. Now he and the doubly enslaved Tyndarus will turn themselves into the wily slave of comedy in order to escape.⁹⁹ The words of the prologue-speaker at *Captivi* 35–51 place them firmly in a stock type:

hisce autem inter sese *hunc confinxerunt dolum*,
 quo pacto hic servos suorum hinc amittat domum.
 itaque *inter se commutant vestem et nomina*;
illic vocatur Philocrates, hic Tyndarus:
huius illic, hic illius hodie fert imaginem.
 et hic hodie expediet *hanc docte fallaciam*,
 et suorum faciet libertatis compotem,
 eodemque pacto fratrem servabit suum
 reducemque faciet liberum in patriam ad patrem,
 imprudens: itidem ut saepe iam in multis locis
 plus insciens quis fecit quam prudens boni.
 sed inscientes sua sibi *fallacia*
ita compararunt et confinxerunt dolum
 itaque hi *commenti*, de sua sententia
 ut in servitute hic ad suum maneat patrem:
 ita nunc ignorans suo sibi servit patri;
 homunculi quanti sunt, quom recogito!

But these men have devised this trick together, so that this slave can send his master home away from here. Therefore the two of them are exchanging dress and names: that one is called Philocrates, this one Tyndarus: today each bears the mask of the other. And today this one will skilfully perform this trick and will provide his master with his liberty, and in the same way he will save

⁹⁹ Lefèvre (1998) 28–30, 39, 42–3 notes the long critical tradition which pillories the superfluity and illogicality of the means chosen by Philocrates and Tyndarus in order to achieve their end. That they choose to behave as they do is thus simply because Plautus so wishes it.

his brother and return him free to his fatherland and his father, and all quite unaware. And it happens the same way in many cases, that a man does himself more good inadvertently than when he is aware of what he's doing. But inadvertently, by their own tricksterism, they have prepared and devised the trick, and have thus brought it about, that this one should deliberately remain a slave in his father's house. Thus, without knowing it, he is now a slave to his own father; so much do we little men add up to when I think of it!

The vocabulary of deceit presented here recurs throughout the play, and is entirely typical of the Plautine slave-hero and his deeds.¹⁰⁰ Likewise the reference to the characters' resort to the theatre of disguise and their adoption of each other's masks.¹⁰¹ When later the trick is actually effected and Philocrates goes into action playing the part of Tyndarus, there is much more which recalls the cunning of the comic slave: Tyndarus watching from the side like a nervous director recalls the analogous scene in which Pseudolus observes the wiles of Simia;¹⁰² the relief felt when Philocrates begins to philosophize echoes that felt when Simia does the same;¹⁰³ Hegio will be fleeced like the Nicobulus of the *Bacchises*.¹⁰⁴

Philocrates, therefore, must learn how to act like a Plautine slave in order to escape the state of slavery which his capture has imposed upon him. And, to the extent that he contrives to do just this, the *Captivi* has a beguiling familiarity to it.¹⁰⁵ Yet there are also fundamental differences to confront and these cast the traditional material in a more disquiet-

¹⁰⁰ Plaut. *Capt.* 35 *dolum*, 47 *dolum*, 222 *doli non doli sunt*, 520 *subdolis mendaciis*, 523 *dolis*, 653 *dolo*, 755 *dolis*; 40 *fallaciam*, 46 *fallacia*, 221 *fallacia*, 671 *fallaciis*, 674 *fallaciis*, 678 *fallaciis*; 222 *astu*, 250 *astutia*, 530 *astutiam*, 539 *astutiam*, 679 *astutia*; 224 *assimulo*, 654 *assimulabat*; 522 *perfidius*. For analysis of all these terms, see Brotherton (1926).

¹⁰¹ Plaut. *Capt.* 39 *imaginem*. For similar phrases, see Plaut. *Amph.* 121, 125, 141, *Mil.* 150–2. I am rather more confident than Moore (1998) 185–6 that *imago* in all these cases refers primarily to the mask even if, as *Amph.* 441–6, 866 would suggest, identity of costume is also essential. For *imago* and the implicit contrast between funeral masks and theatrical masks, see Plaut. *Amph.* 458–9 and Duckworth (1952) 92–4. That masks were indeed worn in Plautine and Terentian comedy is now widely accepted. See e.g. Gow (1912); Tandoi (1992b) i. 86 and n. 23; Wiles (1991) 129–33. For the theatre of disguise in Plautus, see Muecke (1986). The metatheatrical dynamic identified by Muecke is but one example of a broader process, the best discussion of which is to be found in Petrone (1983).

¹⁰² Plaut. *Capt.* 263–92, cf. Plaut. *Pseud.* 956–1016. For Pseudolus as director in this scene, see esp. Wright (1975) 414.

¹⁰³ Plaut. *Capt.* 284, *salva res est, philosophatur quoque iam*, cf. *Pseud.* 974, *salvos sum, iam philosophatur*. See also Plaut. *Capt.* 274–5 for Philocrates identified with Thales.

¹⁰⁴ Plaut. *Capt.* 266–9 cf. *Bacch.* 241–2. Sergi (1997) 57–60; Moore (1998) 187; Lefèvre (1998) 37–9 anticipate much of this argument.

¹⁰⁵ Segal (1987) 199–201 points to just such material in order to argue against the view that the *Captivi* is a unique and uniquely serious work of Plautus.

ing light. First, the classic Plautine slave lives to deceive his master day after day; he may threaten to become a runaway but his flight is as permanently postponed as the beating or the crucifixion with which he is menaced.¹⁰⁶ This, then, is entirely consonant with his status as a man without a past: he always was a slave and he always will be. Philocrates, by contrast, was a free man only days before and intends to be one again: flight is the means to secure his freedom. Second, no confederate of the Plautine slave-hero ever suffers for the crimes of his leader; but Philocrates could not perform his trick without the assistance of Tyndarus and the latter will pay for this by relegation to the hellish confines of the quarry.¹⁰⁷ In order to avoid such an ending, Philocrates is bound finally to display the *fides* which he promises Tyndarus before he departs, and his behaviour in the closing scenes of the play is therefore markedly different from what it is in the first.¹⁰⁸

An initial response to the juxtaposition of the Cannae trickster narratives and the *Captivi* might elicit the observation that the comedy's Roman audience is invited to celebrate precisely the behaviour which, in the historical tale, it is expected to deplore. This would then correspond to the conclusion of the previous section of this argument: that comedy set in time of war reinstates the values rejected by the hegemonic authority of the senate. The situation, however, is more complex. For those members of the Cannae embassy who double back to the camp in order technically if not sincerely to fulfil their promise to return do not just deceive Hannibal. Rather, they place their own desire for homecoming above the well-being of the fellow-prisoners they have been elected to represent; they stay in Rome and leave the rest to rot. No wonder, perhaps, that it is not just the censors and the senate who turn against them but also the crowd.¹⁰⁹ When Philocrates returns to Aetolia in the *Captivi*, he keeps *fides* with both Hegio and Tyndarus, with foe and confederate alike.¹¹⁰ The play gestures at the

¹⁰⁶ For this sentiment, see esp. Plaut. *Most.* 1178–9.

¹⁰⁷ Plaut. *Capt.* 721–31 cf. 998–1004.

¹⁰⁸ For *fides*, see esp. Plaut. *Capt.* 346–51, 363, 405, 424, 427, 432, 439, 442–3, 716, 756, 890, 893, 927, 930. The scenes immediately prior to the release of Philocrates involve a number of appeals to mutual *fides* on the part of the characters and exploit the disguise motif to great effect. Note esp. 427 where Philocrates disguised as Tyndarus promises never to be *infidelem* to Philocrates. When the trick is revealed, Hegio at 756 resolves *nulli posthac quicquam credere* but 927 and 930 represent a powerful recovery of faith. For *fides* in the *Captivi*, see esp. Franko (1995d).

¹⁰⁹ Gell. 6. 18. 10.

¹¹⁰ Note Plaut. *Capt.* 232–6 for the anxiety of Tyndarus lest Philocrates abandon him and esp. 234–6 for the reference to people who turn wicked once they have what they want ('id ubi iam penes sese habent, | ex bonis pessimi et fraudulentissimi | fiunt'). Now comic *fraus* and *malitia* are a menace and not a resource.

cheery amorality of the cunning slave but the values which it must finally assert are precisely those which the Cannae tricksters were held to have violated and which the Regulus of legend was made to represent.¹¹¹

From Capture to Slavery

Surprise was earlier expressed at the fact that criticism of the *Captivi* had so much to say about slaves and yet so little about prisoners of war. Yet any discussion of the play which spoke only of prisoners and said nothing of their transformation into slaves would be manifestly more perverse. The concluding section of this argument therefore turns to the problem of slavery as it manifests itself in the *Captivi*. In the attempt to see the world from the perspective of a character roundly disliked and shrilly denounced by each and every scholar, I hope once again to demonstrate the value of *postliminium* as a key for the interpretation of the play.

The Greek command of T. Quinctius Flamininus and the 197 bc victory of Cynoscephalae marked the beginning of serious involvement for Rome on the Greek mainland and initiated the collapse of Macedonian power which would culminate in the 168 bc defeat at Pydna. Flamininus represented his intervention as the liberation of Greece and Plutarch is foolish enough to believe him.¹¹² Yet it is another act of liberation accomplished at the close of the campaign which is of greatest pertinence to this argument. Plutarch recounts the episode as follows:

τῶν δ' Ἀχαιῶν αὐτῶι πολλὰ πρὸς τιμὴν ψηφισαμένων, οὐδὲν ἐδόκει πρὸς τὰς εὐεργεσίας ἐξισοῦσθαι πλὴν μιᾶς δωρεᾶς, ἣν ἐκεῖνος ἀντὶ πάντων ἡγάπησεν. ἦν δὲ τοιάδε· Ῥωμαίων οἱ δυστυχήσαντες ἐν τῶι πρὸς Ἀννίβαν πολέμῳι πολλαχοῦ μὲν ὦνιοι γενόμενοι καὶ διασπαρέντες ἐδούλευον· ἐν δὲ τῇ Ἑλλάδι χίλιοι καὶ διακόσιοι τὸ πλῆθος ἦσαν, αἱ μὲν οἰκτροὶ τῆς μεταβολῆς, τότε δὲ καὶ μᾶλλον, ὥς εἰκός, ἐντυγχάνοντες οἱ μὲν υἱοῖς, οἱ δ' ἀδελφοῖς, οἱ δὲ συνήθεσιν, ἐλευθέρους δοῦλοι καὶ νικῶσιν αἰχμάλωτοι. τούτους ὁ μὲν Τίτος οὐκ ἀφείλετο τῶν κεκτημένων, καίπερ ἀνιώμενος ἐπ' αὐτοῖς, οἱ δ' Ἀχαιοὶ λυτρωσάμενοι πέντε μῶν ἕκαστον ἄνδρα, καὶ συναγαγόντες εἰς ταῦτ' ὅλους, ἤδη περὶ πλοῦν ὄντι τῶι Τίτῳ παρέδωκαν, ὥστ' αὐτὸν εὐφραυνόμενον ἀποπλεῖν, ἀπὸ καλῶν ἔργων καλὰς ἀμοιβὰς καὶ πρεπούσας ἀνδρὶ μεγάλῳ καὶ φιλοπολίτῃ κεκομισμένον.

¹¹¹ For Regulus and *fides*, see esp. Cic. *off.* 3. 99–115, *fin.* 2. 64.

¹¹² Plu. *Comp. Phil. and Flam.* 1. 1–2. Badian (1958) 81 is suitably scathing.

ὁ δὲ δοκεῖ πρὸς τὸν θρίαμβον αὐτῷ πάντων ὑπάρξαι λαμπρότατον. οἱ γὰρ ἄνδρες οὗτοι, καθάπερ ἔθος ἐστὶ τοῖς οἰκέταις ὅταν ἐλευθερωθῶσι, ξύρεσθαί τε τὰς κεφαλὰς καὶ πιλία φορεῖν, ταῦτα δράσαντες αὐτοὶ θριαμβεύοντι τῷ Τίτῳ παρείποντο.

The Achaeans voted Titus many honours, none of which seemed commensurate with his benefactions except one gift, and this caused him as much satisfaction as all the rest put together. And this was the gift: the Romans who were unhappily taken prisoner in the war with Hannibal had been sold about hither and thither, and were serving as slaves. In Greece there were twelve hundred of them. The change in their lot made them pitiful objects always, but then even more than ever, naturally, when they fell in with sons, or brothers, or familiar friends, as the case might be, slaves with freemen and captives with victors. These men Titus would not take away from their owners, although he was distressed at their condition, but the Achaeans ransomed them all at five minae the man, collected them together, and made a present of them to Titus just as he was about to embark, so that he sailed for home with a glad heart; his noble deeds had brought him a noble recompense, and one befitting a great man who loved his fellow citizens. This appears to have furnished his triumph with its most glorious feature. For these men shaved their heads and wore felt caps, as it is customary for slaves to do when they are set free, and in this habit followed the triumphal car of Titus.¹¹³

This narrative offers an important sequel to the accounts in Livy, Polybius, and others of the disputes over the prisoners taken at Cannae. By now those prisoners have actually been sold into slavery and dispersed and a large number of them have found their way to Greece. As before, it is their kin who regard their condition with particular distress while Flamininus, for all that he too is moved, must initially resist the emotional impulse to seek their release. What Flamininus himself cannot do, he is, however, willing to permit the Achaeans to do for him as an act of gratitude. That he is allowed to pass through Rome in triumph with 1200 released prisoners is testament either to the greater tolerance of the senate now that the Hannibalic emergency has passed or to the general's assertion of his own *auctoritas* as victor over Macedon and readiness to curry favour with the crowd by dramatizing his restoration to them of kinsmen whom his unforgiving peers had kept from them for so long.¹¹⁴ When the men adopt the garb of freedmen, they

¹¹³ Plu. *Flam.* 13. 5–9, cf. Liv. 34. 50. 3–7, 34. 52. 12; D.S. 28. 13; Val. Max. 5. 2. 6. Note that in Livy Flamininus actually requests the return of the prisoners.

¹¹⁴ There is good evidence that the hard line towards prisoners of war studied in the previous section could be relaxed in the successful aftermath of crisis and that the final enforcement of victory could be the formulaic demand in the terms of a peace treaty for

clearly indicate both the status which they have escaped and that to which they aspire to return.¹¹⁵

The most significant aspect of the episode for the purposes of this argument is its suggestion that large numbers of Romans of the age of Plautus had experienced slavery from both sides.¹¹⁶ To the hard-headed jurists of later centuries there is nothing to wonder at in this; for all men are by nature free and slavery but a condition arising from capture in war.¹¹⁷ To many Greeks of the fourth century, by contrast, the revelation that they themselves could be enslaved and indeed by their own countrymen was a source of some distress.¹¹⁸ Just such concerns may also be seen to lie behind the theory of natural slavery which Aristotle develops in the *Politics*: the Greek enslaved as a consequence of capture in war is indeed wrongly enslaved because he is not a slave

the return of deserters, runaway slaves, and prisoners. For treaties, see Plb. 21. 30. 3; Liv. 30. 16. 10 and 15, 30. 37. 3, 30. 43. 10–13, 33. 30. 5, 38. 11. 4–5. For generals winning favour in Rome by the recovery of Romans previously captured and enslaved, see App. *Pun.* 15 for Scipio in Africa and Plu. *Aem.* 6. 7 for the liberation of Romans taken in Liguria. The most important example, however, is Liv. 37. 60. 3–6 where the praetor Q. Fabius Labeo earns a triumph after the 189 BC recovery of 4,000 Romans (the figure is attributed to the habitually inflationary Valerius Antias) from Crete despite achieving nothing else of note in his command. For discussion, see Toynbee (1965) ii. 30–1; Pritchett (1991) 293–4.

¹¹⁵ Val. Max. 5. 2. 6 refers to Flamininus' restoration of the prisoners 'in pristinum gradum' (for which cf. Paulus, *ad Sabinum* 16 = *Digest* 49. 15. 19 for 'postliminium' permitting return 'in statum pristinum').

¹¹⁶ Lefèvre (1998) 33–6 is the only other contribution to the *Captivi* I have found which discusses this episode. Lefèvre hypothesizes the holding of *ludi scaenici* as part of the triumph of Flamininus and suggests that this was the occasion for the première of the *Captivi*. The theme of the return of prisoners of war thus has much to delight the popular audience. Lefèvre further speculates that punning references to the Turdetani and the Boii at Plaut. *Capt.* 163 and 888 may allude to other noted combats of the same year, 194 BC (Liv. 34. 17. 1–4, 34. 19. 1–11, 34. 46. 1, 34. 46. 4–48. 1).

¹¹⁷ Just. *inst.* 1. 2. 2, 1. 5. 1; Ulpian, *institutiones* 1 = *Digest* 1. 1. 4, *ad Sabinum* 43 = *Digest* 50. 17. 32; Tryphoninus, *disputationes* 7 = *Digest* 12. 6. 64; *P.Freiburg* 12 = Men. fab. inc. 4 Arnott = fr. com. adesp. 1027 K-A; Philem. fr. 95 Kock (cf. *PCG* vii. 317 rejecting the authenticity of the attribution). See also Bradley (1994) 133–5. Thalmann (1996) 118 claims that the military successes of the early 2nd cent. BC exposed the Romans to the reality that slaves were the victims of the 'fortunes of war, not biological destiny', and that this made it essential for them 'not only to justify slavery but to rationalise, by giving it an air of natural inevitability, their own hierarchical social structure'. Yet one might argue that the Hannibalic catastrophe exposed the Romans to the risk of enslavement to a degree not known before and led them to reject Aristotle's racialist distinctions in favour of a hard-headed acknowledgement of the *ius gentium*. Dumont (1974) 510 and Pansieri (1997) 503 argue that the *Captivi* rejects any concept of natural slavery. Moore (1998) 181–5 sees the tricksterism of the *servus callidus* as a potential reflection of the theory of natural slavery in New Comedy but argues that the *Captivi* itself problematizes slavery for its audience.

¹¹⁸ Xen. *Ages.* 7. 4–6, *HG* 1. 6. 14; Pl. *R.* 469B–471B; Arist. *Pol.* 1255^a1–5 and 21–32; Cambiano (1987) 45 and n. 40; Schlaifer (1936) 190–1.

by nature; the Lydian or Thracian on sale in the market is constitutionally fitted for servitude.¹¹⁹

Inasmuch as it features a number of Greeks previously free but now enslaved through capture in war, the *Captivi* places at its centre the very phenomenon which both raises anxiety about the practice of slavery and provokes its theoretical justification. It is therefore no surprise that modern discussions of the drama make regular reference to the theory of natural slavery and find in the liberation of Philocrates, Tyndarus, and Philopolemus and the re-enslavement of Stalagmus a denouement of which Aristotle might approve.¹²⁰ There is moreover much which is attractive in this approach and the significant impact of Aristotelian thought on Greek New Comedy makes the *Captivi* a quite plausible vehicle for the introduction of such ideas to Roman thought.¹²¹ Whether, however, it is entirely sufficient remains to be seen.

As a drama about the origins of slavery through imprisonment in time of war, the *Captivi* confronts its audience with the problems which troubled the Greeks of the fourth century. If the spectators' immediate response is one of *aporia*, they will find themselves only too like many of the characters they see on stage, suddenly confronted with a new reality and struggling to make any conceptual sense of it. Crucial here is the contrast between figures such as Tyndarus who have only ever known enslavement and others like Philocrates and Aristophontes who are entirely new to the condition. The latter are indeed able to acknowledge that they are now slaves but unable to shake off the belief that they are in some sense different from a real slave such as Tyndarus.¹²² This perception is, of course, based on the fact that, until only a few days before, they had always been free and Tyndarus a slave. But one goal of the comedy is to recover the lost memory of Tyndarus' freedom and one effect of this is to ask us what it can ever mean to assert that anyone is truly a slave. This in turn has a significant bearing even on

¹¹⁹ Arist. *Pol.* 1254^b20–1255^b15.

¹²⁰ Konstan (1976) 85–7 sees Stalagmus as a form of natural slave and as (p. 87) 'a fit scapegoat through whom the ethical tensions of the drama may be exorcised'. Thalmann (1996) is profoundly concerned with the contradictions which make a theory of natural slavery essential and (p. 136) perceives the punishment of Stalagmus as doing just enough to reassert this theory at the close of the drama.

¹²¹ For Aristotle and Menander, see esp. Barigazzi (1964); Webster (1974) 43–55.

¹²² Moore (1998) 184 points to Plaut. *Capt.* 543 cf. 563, 574, 577, 580, 590, 600 and notes that, while Aristophontes can confess that he now is as much of a slave as Tyndarus, this does not stop him referring constantly to the slave status of the latter or insulting him as a slave. For a similar dynamic in the relationship between Tyndarus and Philocrates, see below pp. 93–5.

the representation of Stalagmus, the figure most often cited in support of appeals to Aristotle and to the endorsement of natural slavery at the close of the play.

If the realization that you yourself can become a slave is perhaps the first step to questioning the ethical validity of the institution, the realization that men as admirable as Tyndarus and Philocrates can suffer such a fate must be the next. This is the disquieting achievement of the *Captivi* and it is one acknowledged by all critics. To those, however, who are committed to finding a fundamentally conservative tone to the plays of Plautus, it is necessary to identify a counterbalancing movement which will effectively restore the audience's sense of the validity of slavery. To this end, just as Aristotle asserts that, quite wrong though it is for Greeks to enslave Greeks, there remain certain peoples who are disposed to endure subjection and who therefore fall into the category of natural slaves, so Plautus creates a properly wicked slave in the shape of Stalagmus and makes him the final image of enslavement restored which the audience will take home with them.¹²³

The crime of Stalagmus was to sell the young Tyndarus into slavery. To an audience seduced into affection for the virtuous Tyndarus, Stalagmus is an easy object of hate. Nor does he help himself. For he freely acknowledges that he is a criminal and worthy of the punishment he will suffer,¹²⁴ and, when finally clapped in chains, quips that this is the wise way to treat a slave with no private resources (*peculium*) with which to buy his freedom.¹²⁵ Yet how much, I wonder, is there to distinguish Stalagmus from his masters or from the wrongfully enslaved?¹²⁶

In a play where one of the markers of wrongful enslavement is the awareness or discovery that the slave once enjoyed another life elsewhere, the obvious way to create a natural slave would be either to give him an appropriately barbarian origin or otherwise none at all. Yet Plautus makes Hegio betray the information that Stalagmus was originally a Sicilian, and one obvious inference from this is that Stalag-

¹²³ Konstan (1976); Thalmann (1996), cf. Fitzgerald (2000) 9–10; McCarthy (2000) 169–70, cf. 199–200. Leach (1969) 293–4; Moore (1998) 193–4; Bloomer (2001) 39, 55–6 may not express themselves in Aristotelian terms but are no more sympathetic to Stalagmus for that.

¹²⁴ Plaut. *Capt.* 955–7, 969, 971–2.

¹²⁵ Plaut. *Capt.* 1026–8. For the possession of a *peculium* as the mark of a virtuous or worthwhile slave, see Plaut. *Asin.* 498, *Rud.* 112, cf. *Cas.* 257–8, *Most.* 874–5, *Stich.* 751.

¹²⁶ McCarthy (2000) 200–1 raises similar issues. For the claim—clearly incompatible with any notion of natural slavery—that slaves take on the ethical characteristics of their masters, see Alex. *Did. fr.* 53 K-A = Stob. 4. 19. 40.

mus is just another wrongfully imprisoned Greek.¹²⁷ What, moreover, was his role in the house of Hegio? From the flirtatious first words he exchanges with his former master, it emerges that he was witty (*lepidus*) and pretty (*bellus*), if never good.¹²⁸ In a subsequent aside, Hegio acknowledges that he was an indulgent boy (*bene morigerus fuit puer; nunc non decet*).¹²⁹ Stalagmus, in other words, was taken from his home in Sicily as a boy, enslaved, and turned into the sexual plaything of his pederastic master.¹³⁰ When therefore he ran away and sold the son of Hegio, he did nothing more than what was done to him.¹³¹ It is perhaps telling that the name under which he for one knew Tyndarus was Paegnium;¹³² Philocrates and family may have brought the boy up well and chastely,¹³³ but a *paignion* in Greek is the classic object of pederastic attraction.¹³⁴ Tyndarus, it seems, was intended by Stalagmus for precisely the fate which Stalagmus himself had once endured.¹³⁵

¹²⁷ Plaut. *Capt.* 887–9. Note, however, Plaut. *Rud.* 583 where Sceparnio can say ‘barbarum hospitem mi in aedis nil moror’ of the Sicilian Charmides. Marx (1928) ad loc. cites the evidence for barbarian, i.e. non-Greek conquered peoples, on Sicily, and Stalagmus may be thought to belong to one of these ethnic groupings. Charmides and Stalagmus, however, both have Greek names and it is never established how Sceparnio can know where the former comes from. For Stalagmus as a Greek speaking-name with a good comic pedigree, see Anaxandr. *Odys.* fr. 35. 3 K-A = Ath. 242D–F.

¹²⁸ Plaut. *Capt.* 954–7.

¹²⁹ Plaut. *Capt.* 966. For *morigerus* in the sense of sexually compliant, see Plaut. *Cas.* 463 cf. 897 (in the former instance, it is necessary that the eavesdropping Chalinus be able to interpret the word in this way). This sense is thus considerably older than Williams (1958) 29 and Adams (1982) 164 suggest. Note also Plaut. *Capt.* 867, where Ergasilus alludes to Hegio’s boyhood habituation to the passive role in anal sex, and cf. Plaut. *Asin.* 703 for a similarly phrased insinuation.

¹³⁰ The play is thus less sexless than Bloomer (2001) 33 might suggest.

¹³¹ For this revelation of past pederasty, see the insightful remarks of Delcourt (1964) 215–16, cf. Pansiéri (1997) 616–17.

¹³² Plaut. *Capt.* 984.

¹³³ Plaut. *Capt.* 992. At Plaut. *Cist.* 172–3, *Curc.* 518, 698, cf. Ter. *Andr.* 274, *Haut.* 226, cf. 232–4, the same assurance is given of girls who have come very close to employment as prostitutes but have escaped that fate.

¹³⁴ Plu. *Ant.* 59. 8 equates *παλγνιον* with the Latin *deliciae* just as the boy Paegnium is addressed at Plaut. *Persa* 204 as *deliciae pueri*. Woytek (1982) 133 cites the Plutarch passage and comments that the name of the Plautine character reveals his metier. See also Verg. *eccl.* 2. 2 and the description of Alexis as *delicias domini*: the master clearly can command what the spurned Corydon is denied. For such relationships in comedy and in Latin literature, see Dumont (1987) 406–7; Fitzgerald (2000) 4, 47–8, 53–5. For the asexual use of *delicium* to describe the slave who is the childhood playmate of the master’s son, see Sen. *epist.* 12. 3 and the comments of Parker (1989) 242.

¹³⁵ It is noteworthy that Hegio never refers to the lost son by name and does not suffer a jolt of recognition when hearing the name Paegnium. This suggests that it was the name which Stalagmus chose for him. I am sceptical of the assumption of Bloomer (2001) 47, 51 that Paegnium is the ‘real name’ which Tyndarus recovers at the close of the play.

The deception by which Tyndarus takes on the identity of Philocrates and Philocrates that of Tyndarus is exposed when their fellow-prisoner Aristophontes identifies the putative master as his slave. This scene contains many points of interest, not least the fact that the character whose hair ought to mark him out as the obvious slave is actually the rather red-headed Philocrates.¹³⁶ What, however, is of most importance to the current argument is the desperate tack adopted by Tyndarus in order to fend off the claim of Aristophontes that he has never enjoyed the free status which he claims. His reply is to ask whether this gentleman was midwife to his mother.¹³⁷ On one level, this is just one last, futile attempt to avoid the exposure of the ruse: Tyndarus himself never demonstrates any memory of a free past and his reaction to enslavement by Hegio is not to reject slavery *per se*, merely to spurn the claims of the new master and cleave to the old. Yet the resonances of the question do not end there. For Tyndarus is indeed destined to be shown to be free and what his words remind the audience is that none of us can be sure that Stalagmus, that even perhaps the *lorarius*, is not in fact a free man wrongly clapped in chains. The *Captivi* is refreshingly reluctant finally to calm the anxieties which it has once provoked.

The apparent ethnicity of Stalagmus should tell strongly against any notion that he is a natural slave. So too the revelation of his and Hegio's past relations: if the crimes of Stalagmus are enough to make him a natural slave and see him clapped in chains, what of the master who taught him how to sin? Rather, the matter which the return of Stalagmus is destined to expose to the audience puts into particular focus an issue on which the characters of the *Captivi* comment first with sly humour, then with deep feeling as the play goes on: the moral foundation of servile obedience and the implications for the slave-owner in order for this to be realized. Hence the disingenuous ethical language with which Tyndarus can state to the *lorarius* that he and Philocrates are aware of their duty (*officium*) should they be released from their chains, while the latter can claim that it would not be fitting (*haud nos id deceat*, |

¹³⁶ Plaut. *Capt.* 647 *subrufus*, cf. Plaut. *Pseud.* 1218 *rufus*, Asin. 400 *rufulus aliquantum*; Ter. *Phorm.* 51. Poll. 4. 149–50 states that all but one slave type in Greek comedy is red-headed and this is reflected in stock names such as Xanthias in Old and Pyrrhias in New Comedy. For discussion, see Wiles (1991) 152 and 165–6; Dumont (1974) 510 n. 24; Moore (1998) 186.

¹³⁷ Plaut. *Capt.* 629: 'an tu fortasse fuisti meae matri obstetrix?' Cf. Plaut. *Capt.* 574 and the incredulity of Aristophontes when Hegio refers to the father of Tyndarus: 'quem patrem, qui servos est?'

fugitivos imitari) for them to imitate runaways.¹³⁸ The *lorarius* himself is unlikely to be taken in here, for he too in his opening exchange with Hegio has already featured as a spokesman for the universal preference for freedom over slavery, even if his master can find little in his behaviour to suggest that he acts on such aspirations.¹³⁹ Nor do Hegio and Philocrates waste much time with such pretences in an exchange only fifty lines later on: the slave-master claims just cause (*iusta causa*) to watch over charges for whom he has paid so much; the slave replies that it is not fair for him to mark it a sin (*neque . . . aequomst vitio vortere*) if they take the chance to escape.¹⁴⁰

The opening scenes of the *Captivi* repeatedly challenge the notion that a slave qua slave has any unconditional ethical obligation towards his master.¹⁴¹ Yet this play is as sentimental as it is cynical and those first exchanges between Hegio and the *lorarius* hint importantly at the very different version of slavery which the relationship between Tyndarus and Philocrates represents. For the suggestion on the part of Hegio that his slave is all too contentedly habituated to his condition has an important resonance for the long-established loyalty of Tyndarus to his young master.¹⁴²

Tyndarus, we learn, was stolen at the age of 4 and given the name of Paegnium by his new master. He was chosen to be the companion of the young master Philocrates and has remained so ever since.¹⁴³ The name of the latter may be translated as 'Lover of Power' and a striking aspect of his character is his desire to preserve the power distinction which made him the master and Tyndarus the slave even after the vicissitudes of war have reduced them to the same essential status.¹⁴⁴ Nor is the outlook of Tyndarus any different. For he makes no effort

¹³⁸ Plaut. *Capt.* 203–10. Philocrates jokes metatheatrically. *Fugitivi* is the title of a play attributed to Plautus at Varro *ling.* 7. 63. For other comic titles referring to runaway slaves cf. Antiphanes, *Δραπεταγωγός*; Alexis, *Λευκαδία ἢ Δραπεταί*. For the rich man's runaway slave as a character in mime, see Sen. *epist.* 114. 6; Luv. 13. 111. For the particular joke at *Capt.* 203–10 cf. *Poen.* 427 where Agorastocles, urged to make haste, replies 'fugio' and the slave Milphio quips 'meum est istuc magis officium quam tuum'.

¹³⁹ Plaut. *Capt.* 116–25.

¹⁴⁰ Plaut. *Capt.* 257–60.

¹⁴¹ For the concept of servile *officium*, see also Plaut. *Capt.* 297–301. Franko (1995a) 159 gets these passages absolutely right. For *aequom* and *officium* used to translate the language of Greek ethics, see also Plaut. *Stich.* 34–46 and the note of Petersmann (1973) at v. 34.

¹⁴² For the comic sentimentalization of the master–slave relationship, cf. Men. fr. 787 K-A = Stob. 4. 19. 7; Theophil. *Apod.* fr. 1 K-A = Schol. Dion. Thr. Gr. Gr. I 3 p. 159, 19 Hilg. For habituation cf. Eub. fr. 126 K-A = Stob. 4. 19. 32. Hunter (1983) ad loc. rightly warns that these lines may have had a metaphorical function in their original context; as quoted, however, they testify to the attractions of a benign regime.

¹⁴³ Plaut. *Capt.* 972–92.

¹⁴⁴ Plaut. *Capt.* 240–8.

to assert himself against Philocrates now that they are on the level and takes positive pride in exposing himself to danger if it will bring about the return of his master to his homeland. That an ethical bond can exist between master and slave is emphasized by the repeated appeals of Tyndarus to the *fides* of Philocrates before the latter makes his escape and the triumphant vindication of his trust when Philocrates returns to rescue him at the end of the play. Were Tyndarus just a slave, then Philocrates could happily abandon him to a life in the quarries and buy another to replace him once safely home in Elis. Yet he is not. And just as the slave is more than simply a slave to the master, so the master is more than simply a master to his slave. For life with Philocrates is in effect all that Tyndarus has ever known and the benevolent treatment which he has received has clearly permitted the growth of an affective relationship far stronger than any awareness that in truth he lives in subjection.¹⁴⁵ This emerges most clearly at vv. 703–21 and his powerful rejection of Hegio's claim to any right to automatic fidelity as soon as he becomes master to a slave:

HEG. votuin te quicquam mi hodie falsum proloqui?
 TYND. votuisti. HEG. cur es ausus mentiri mihi?
 TYND. quia vera obsessent illi quoi operam dabam:
 nunc falsa prosunt. HEG. at tibi oberunt. TYND. optumest.
 at erum servavi, quem servatum gaudeo,
 cui me custodem addiderat erus maior meus.
 sed malene id factum tu arbitrare? HEG. pessume.
 TYND. at ego aio recte, qui abs te sorsum sentio.
 nam cogitato, si quis hoc gnato tuo
 tuos servos faxit, qualem haberes gratiam?
 emitteresne necne eum servom manu?
 essetne apud te is servos acceptissimus?
 responde. HEG. opinor. TYND. cur ergo iratus mihi es?
 HEG. quia illi fuisti quam mihi fidelior.
 TYND. quid? tu una nocte postulavisti et die
 recens captum hominem, nuperum novicium,
 te perdocere ut melius consulerem tibi,
 quam illi, quicum una ⟨a⟩ puero aetatem exegeram?
 HEG. ergo ab eo petito gratiam istam. ducite.

¹⁴⁵ For benevolent treatment, see esp. Plaut. *Capt.* 245 and Philocrates' appeal 'per mei te erga bonitatem patris'. The case for benevolent treatment as the best way to bind a slave to the master is also put at Plaut. *Men.* 79–81, cf. 87–8. For the encouragement of affective relationships between the master's son and a slave of the same age, see Plu. *Cat. Ma.* 20, 3; Sen. *epist.* 12, 3; Parker (1989) 242.

HEG. Did I forbid you to tell me any lies today?

TYND. You did forbid me.

HEG. Why did you dare to lie to me?

TYND. Because the truth would have hurt the man I was helping. Now my lies are to his benefit.

HEG. But they will harm you.

TYND. Excellent. Even so, I saved my master, and I rejoice at his being saved, over whom my older master placed me as a guardian. But do you think that I did ill?

HEG. Most ill.

TYND. Well I say that I did the right thing and don't agree with you. For think, if some slave did this for your son, how grateful you would be. Would you or would you not manumit that slave? Would not that slave be your absolute favourite? Tell me.

HEG. I guess so.

TYND. So why are you angry with me?

HEG. Because you were more loyal to him than to me.

TYND. What? Did you, on the strength of one night and one day, think you had the right to instruct a man recently captured, a newcomer, a novice, to give more thought to your interests than to those of the man with whom I had lived from boyhood?

HEG. Ask thanks of him then. Lead him off!

Hegio has no answer to the account of servile obligation offered by Tyndarus. But he still has chains, guards, and a quarry.

For the slave-owner on stage, obedience is easier to enforce than it is to earn. For the slave-owners in the audience, the issue is whether they would sooner be Philocrates to a Tyndarus or Hegio to a Stalagmus. For those who have been both slave-owners and enslaved, the more pointed question still is whether any factor can be adduced which, irrespective of their behaviour, imposes on their slaves obligations which they themselves would have been unwilling to observe with regard to the men they served. We need not assume that they felt constrained to think this through.

Conclusion

The first half of this chapter engaged with the Roman law of *postliminium* and analysed its development in the mid-Republican period. What first functioned as the formal reversal of the abdication of citizen rights attendant on voluntary *exilium* in a federated state becomes problem-

atic when claimed by soldiers captured in war and seeking to return to Rome. In this case the privilege freely granted to migrating individuals becomes a threat to collective authority, for the Roman soldier must be discouraged from believing that there is any hope of salvation in surrender. Juristic texts and historical narratives both encode a consistent pattern whereby the greater good of future discipline is necessarily asserted over the emotional impulse of the family to recover their kin, and this is manifestly the voice of senatorial hegemony. By contrast, the *Captivi* reasserts the domestic perspective on war and, through the return of Philocrates and Philopolemus, even through the rediscovery on the part of Tyndarus of his true familial *domus*, realizes the aspirations which the stern refusal of *postliminium* thwarts.

Yet the play goes further than this. Inasmuch as capture in war is understood as the first stage in enslavement, the *Captivi* engages with what must be a fresh anxiety for the Roman audience. For those prisoners taken at Cannae whom the senate declined to ransom back from Hannibal faced a clear future and that future was slavery. Flamininus may have recovered 1,200 such men and led them back to Rome, but this was a good twenty years after Cannae and it may be wondered quite how many others had died in fetters in the intervening period. The war which hugely increased the population of foreign slaves held at Rome also involved an unprecedented exposure to the possibility of enslavement for the same people. The juristic account of slavery as a manifestation of the *ius gentium* is a necessary acknowledgement of this reality.

To contemplate the origins of slavery, it has been argued above, is to confront the ethical foundations of the institution. When war can so swiftly make slaves out of masters and masters out of slaves, there are no immutable categories of free or unfree nor is there any obligation to acknowledge one's membership of the one category or the other and act accordingly. In the *Captivi*, the slave most likely to accept the power of the master is the slave seduced into obedience by honourable treatment and a happy life: the *lorarius* of Hegio has it too good to make his bid for freedom; Tyndarus is habituated to acceptance of slavery by years of good treatment. That the latter has no memory of his former freedom contributes to his compliance and contrasts strongly with the situation of Philocrates, who was a free man and a master until only a few days before. Nothing in the *Captivi* validates any concept of the slave by nature.

And it is here that the paradoxes of *postliminium* emerge most clearly.

For this law has as much bearing on rights to property as ever it does on rights to citizenship. When Plautus attributes a Sicilian past to Stalagmus, he reminds us that he too had a life before his entry into the house of Hegio and invites us to speculate on what it was. Should Stalagmus escape again from Aetolia and make his way to his former home, will he too cross the familial *limen* and recover the citizen status he has been denied? That, at least, is the destiny which so many characters achieve at the close of this drama and which realizes the reintegration so essential to the genre. A jurist asked to describe the process would surely call it *postliminium*. Amidst all this celebration, however, is the enforced return of Stalagmus to the house which once he fled. And, whatever the citizen status which we may hypothesize for him in Sicily, here he is a slave, an item of property once lost and now reclaimed. The same jurist would call this *postliminium* too.

City, Land, and Sea: New Comedy and the Discourse of Economies

City, Land, and Sea

The action of New Comedy takes place at the crossroads. If the classic dramatic problem is the negotiation of relationships between two houses standing next to each other on a city street, these houses and their inhabitants depend on forms of economic activity characteristically undertaken at one or more of the three off-stage locations to which the side-entrances lead: the forum or *agora*, the port, and the land. My aim in this chapter, therefore, is to investigate the potential for New Comedy to construct oppositional relationships between these off-stage worlds and to examine how these might relate to polarities prominent in philosophy, rhetoric, and diatribe. Further, though the texts on which I propose to build my case are necessarily drawn from a very broad period, I hope also to be able to demonstrate their applicability to acutely contemporary concerns for the Rome of the second century BC.

City and Country

Fundamental to any account of the relationship of city and country in Greek comedy must be the narrative of his disastrous marriage to the daughter of Megakles son of Megakles given by the rustic Strepsiades at Aristophanes, *Clouds* 41–74.¹ The union of a haughty, free-spending, urban Alkmaeonid² and a simple, thrifty rustic is a mismatch from the start.³ When a son is born, the differences between husband and wife

¹ For discussion of Strepsiades as *agroikos*, see Ribbeck (1885) 7–8; Ehrenberg (1943) 86–7.

² See Ar. *Nu.* 46 with Dover (1968) ad loc. For a similar warning against grand urban wives in New Comedy, see Philem. *Pterug.* fr. 69 K-A = Steph. Byz. s.v. *Ἀθηναίαι*.

³ Ar. *Nu.* 41–52.

are fought out through their competing plans for the child.⁴ Where the father would have his son dress in skins and drive his goats, the mother hopes to see her offspring take up the characteristic pursuit of the aristocracy and drive a chariot instead.⁵ The name Pheidippides—aka ThriftyMacHorsey—is not so much a compromise between their positions as a perpetual reminder of unreconciled difference.⁶

The term which Strepsiades employs in order to describe his wife as free-spending places her behaviour in the category which most clearly describes the conspicuous consumption of the urban leisure class: *truphe*.⁷ When his bride comes to his bed, she does so smelling of ‘incense, saffron, tongue-kisses, expenditure, feasts, Kolias, Genetyllis’.⁸ When Alciphron in his *Rustic Epistles* has the peasant Dryantidas lament his wife Chronium’s new dedication to the life of urban *truphe*,⁹ he emphasizes her dedication to the same two cults of Aphrodite as the wife of Strepsiades.¹⁰ The link between cultic activity and self-indulgence in the lives of rich urban women is evident in New Comedy as well: the arrival of the mother of Sostratos at Phyle in the *Dyskolos* in response to a dream about Pan is clearly an excuse for a feast,¹¹ and prompts a disillusioned account of the sacrificial practices of the rich from the rustic Knemon;¹² when the parents of Pamphilus resolve to quit the city for the sake of his marriage in the *Hecyra*, their son is distressed at the idea of his mother abandoning her female friends and relations and her festive days on his account.¹³

Where the texts quoted above suggest a degree of continuity in assumptions about female behaviour, the historical discontinuity between Old and New Comedy can perhaps best be discerned in its account of the circumstances and expectations of men. Here too much has indeed remained the same. The pampered Moschion of the *Samia*

⁴ Ar. *Nu.* 60–72.

⁵ Ar. *Nu.* 68–72. For hippotrophy as a mark of great wealth, see Arist. *Pol.* 1289^b35, 1321^a11; Isoc. 16. 33; Wyse (1904) 471–3; Davies (1971) xxvi–xxvii and n. 7.

⁶ Ar. *Nu.* 60–7. For rustic thrift and urban consumption cf. Men. fr. 646 K-A = Schol. Ar. *Nu.* 44b.

⁷ Ar. *Nu.* 48 *τροφῶσαν*.

⁸ Ar. *Nu.* 51–2.

⁹ Alciph. *Ep.* 2. 8 Schepers: ἀλλὰ ἀμιλλᾷ ἐν ταῖς ἀστικάῃς ταῦταισι ταῖς ὑπὸ τροφῆς διαρρεούσαις.

¹⁰ Alciph. *Ep.* 2. 8 Schepers: ποῦ γὰρ ἐγὼ κατ’ ἀγρόν ἰδρύσω Κωλιάδας ἢ Γενετυλλίδας; For the relationship between this letter and the *Clouds*, see Kier (1933) 5.

¹¹ Men. *Dysk.* 407–19.

¹² Men. *Dysk.* 447–53.

¹³ Ter. *Hec.* 223–7, 592–3, cf. Men. fr. 878 K-A = Str. 7. 3. 4. For such religious sororities at Rome, see Plb. 31. 26. 3–8.

has kept dogs and horses at his adoptive father's expense;¹⁴ huntsmen arriving in the country in the *Heros* are cityslickers;¹⁵ and Sostratos in the *Dyskolos* arrives in Phyle only because he and Pyrrhias are hunting with dogs.¹⁶ Yet the hippotrophy of Pheidippides in the *Clouds* connects suggestively with his Alkmaeonid descent and the expectation of a specifically aristocratic excellence, which might well prefer to seek expression in the international arena of the athletic festivals when disappointed at its political marginalization in the world of the radical democracy.¹⁷ The young men of New Comedy, by contrast, are merely rich; their pursuits have no political significance; all that they have to prove is that they possess sufficient wealth to abstain from any productive labour whatsoever.¹⁸

If the treatment of this issue suggests a loss of political bite in the world of New Comedy, there is a corresponding sharpening of awareness of the importance of economic relations. Although Strepsiades emphasizes the thrift essential to the rural life, the initial account of his existence before marriage is almost pastoral in its sentimentality, Aristophanes, *Clouds* 43–5:

STR. ἐμοὶ γὰρ ἦν ἄγρικός ἡδιστος βίος
εὐρωτιῶν, ἀκόρητος, εἰκῇ κείμενος,
βρύων μελίτταις καὶ προβάτοις καὶ στεμφύλοις.

STR. For the rustic life was sweetest for me, unwashed, untrimmed, lying as I wished, bursting with bees and sheep and olive-cakes.¹⁹

By contrast, the rustic characters of New Comedy bear a much closer resemblance to the characters of Aristophanes' late work, the *Plutus*;

¹⁴ Men. *Sam.* 14–15.

¹⁵ Men. *Her.* fr. 1 Arnott = *Lexicon Sabbaiticum*, ed. A. Papadopoulos-Kerameus (St Petersburg, 1982) p. 4: νῦν δὲ τοῖς ἐξ ἄστεως | κυνηγέταις ἡκουσι περιγηγῆσθαι | τὰς ἀχράδας.

¹⁶ Men. *Dysk.* 71, cf. 48. For hunting as an activity of the urban leisure class, see Handley (1965) at Men. *Dysk.* 41–2 and Konstan (1995) 101.

¹⁷ Cf. Eur. *Hipp.* 1013–20; Pl. *Grg.* 515E; Carter (1986) 52–6.

¹⁸ In this way the young of comedy display the characteristics of the leisure class as first defined by Veblen (1899) 23–42, esp. 26 and the discussion of hunting. For leisure marked by the comedians as the defining characteristic of the urban rich, see Alex. *Ath.* fr. 28 K-A = Stob. 3. 30. 8 with Arnott (1996) ad loc.; Men. *Sam.* 20 where, precisely because he is at leisure, (ἀγῶ γὰρ πῶς σχολήν), Moschion has the time to recount the trouble he has got into, *Dysk.* 293–5, 356–7, *Plok.* fr. 299 K-A = Stob. 4. 32b. 42. At Ter. *Haut.* 109 Menedemus recalls his complaint that the dissipation of his son arose 'ex nimio otio'. Incisive remarks in Lowe (1987) 136.

¹⁹ The list as an expression of plenty is particularly characteristic of Old Comedy. Numerous examples and perceptive analysis in Wilkins (2000) 103–55.

what they emphasize is the poverty of their existence,²⁰ and a life of ceaseless labour deprived of the leisure of the rich.²¹ The wealthy, in turn, are characteristically understood as owning property in the city and on the land.²² Their young, however, are conditioned by their experience of urban *truphe*, and have scant experience of rural labour.²³ These distinctions are summed up exquisitely in the anxieties of the slave Syros in the *Epitrepontes*. He has seen enough tragedy to know that noble babies are often exposed and raised by poor families. Yet the marks which he attests for recognizing such a nature are actually the resort to what are recognizable as a paratragic twist to the typical manifestations of the nurture which the leisured rich receive: hunting lions, bearing arms, running in games.²⁴ Even romantic love, looked at from the unforgiving perspective of the rustic, is just another aspect of the life of leisure.²⁵ To the leisured youth, by contrast, rural labour can be attempted as a cure for romantic love.²⁶

Translating Polarities—City and Country at Rome

Ideas and oppositions prominent in Greek New Comedy are inevitably visible in the works of their Latin adapters. Although my remarks in the previous section of this argument are grounded in evidence attested from the extant works of Menander, I have therefore included references to the works of Plautus and Terence where they seemed to illustrate the same pattern. Yet what is exciting about Roman

²⁰ Ar. *Pl.* 218–19, cf. 223–6; Men. *Dysk.* 285–6, 369–70, 767–9, *Georg.* 76–82, fr. 1 Arnott = Stob. 4. 32b. 24, fr. 2 Arnott = Stob. 4. 41. 28, *Her.* 27–38, *Kith.* fr. 1 Arnott; Plaut. *Vid.* fr. 2 and 3.

²¹ Ar. *Pl.* 281 (οὐκ οὕσης σχολῆς); Men. *Dysk.* 196, 293–8, 341–6, 355–7, 364–70, 754–5, 764–7, *Georg.* 64–8, fr. 2 Arnott = Stob. 4. 41. 28, *Her.* 27–38; Plaut. *Vid.* 31–43; Ter. *Phorm.* 361–7; Lowe (1987) 136. More complicated is the position of Knemon who confesses at Men. *Dysk.* 162–5 that he has chosen to leave part of his land untended rather than endure the company of those who pass down the road which runs alongside. Precisely because his life is not simply one of constricting poverty, he is able to make such decisions. Del Corno (1969) 87 fails to take account of this. Handley (1965) 23–4 and Casson (1976) 56–7 comment acutely on this issue.

²² Men. *Sam.* 38; Plaut. *Most.* 929, 1075; Ter. *Eun.* 187, 216, 971–3, *Hec.* 224, 586–8, cf. Xen. *Oec.* 1. 2.

²³ Plaut. *Vid.* 33–6.

²⁴ Men. *Epit.* 320–5.

²⁵ Men. *Dysk.* 341–6, cf. *Her.* fr. 10 Arnott = Hermias of Alexandria at Pl. *Phd.* 230E; Plaut. *Merc.* 40–68, cf. *Trin.* 658 where Lesbonicus describes himself as ‘vi Veneris victus, otio captus’. See also Konstan (1995) 101; Rosivach (1998) 5.

²⁶ Ter. *Eun.* 216–21.

comedy is the degree to which themes and oppositions which mattered to Menander and his audience can acquire an entirely new eloquence when brought back to life in the world of mid-Republican Rome. In the example with which this discussion begins, it is surely demonstrable that the poet overtly highlights the new dimension which the opposition of city and country has acquired in its changed cultural context. Yet it does not require a Plautine delight in the paradoxes of Greek and Roman ethnicity in order for the text to find its own voice at Rome. Roman cultural debates of this period owe too much of their language of self-construction to terms and themes borrowed from Greek discourse for even the most slavishly faithful rendition of a Menandrian text to have nothing to say to its new hosts.

The *Mostellaria* of Plautus is the story of the moral downfall of the pampered Philolaches while his father Theopropides is away on a merchant expedition overseas, and of the efforts of the wily Tranio to cover over the evidence when Theopropides makes an untimely return. The drama itself dispenses with an expository prologue in favour of a dialogue between Tranio and the disgruntled Grumio. The latter, outraged by the squandering of his master's fortune, proclaims the country estate as his true world from his very first speech and leaves for the farm at the end of the scene. Tranio, by contrast, is explicitly urban and eventually quits the stage for the Piraeus in search of fish.²⁷ Therefore, for all that these are slaves and not free, it is surely apparent that the terms of their dispute owe much to the Menandrian association of the city with elegant leisure and the fields with inelegant toil.²⁸ In the harangue of Grumio at *Mostellaria* 15–24, moreover, Plautus embraces the new pertinence of such oppositions for the Rome of his period:

GR. tu *urbanus* vero *scurra*, *deliciae* popli,
 rus mihi tu obiectas? sane hoc, credo, Tranio,
 quod te in pistrinum scis actutum tradier.
 cis hercle paucas tempestates, Tranio,
 augebis ruri numerum, genus ferratile.
 nunc, dum tibi lubet licetque, pota, perde rem,
 corrumpe erilem adulescentem optimum;
 dies noctesque bibite, *pergraecamini*,
 amicas emite liberate, pascite
 parasitos, obsonate pollucibilter.

²⁷ Johnston (1933) 92 follows the Vitruvian schema and places the exits to port and country on the same side of the stage. For this approach and its flaws, see pp. 105–11.

²⁸ For the life and labour of free men, see esp. Ch. 5 and my discussion of the *Adelphoe*.

GR. Oh, yes, you city swell, you public pet, you! So you're throwing the farm in my face, eh? And I reckon I know why, all right, Tranio—because you know you'll be landed in the mill before long. Within a few days, by Hercules, you'll be swelling our numbers on the farm and joining our ball-and-chain club! So now you've got the chance, and choose to do so, drink away, wreck the property, demoralize that fine young son of master's! Drink day and night, live like Greeks, buy girls and set them free, feed parasites, go in for fancy catering!

It is far from implausible that the writers of Greek New Comedy represented slaves tied to the rural estate indignant at the self-indulgence of their peers in the city and the moral ruination of the young master. Yet we can be sure that they never represented this dissipation as 'Greeking it up'.²⁹ Nor did they have their urban slaves embrace such accusations, as Tranio does, by the preening employment of Greek phraseology amidst his Latin when dismissing his accuser as an unwashed boor.³⁰

The opposition between city and country therefore endures and the two opposed poles retain their former characteristics. Yet the suggestion that Tranio's life of luxury and dissipation is in some sense Greek addresses specifically Roman preoccupations whereby the city is perceived as the locus of Hellenization while the countryside retains the unadulterated qualities of the nation's ancestors. The fundamentally Catonian quality of this conception of Roman identity is evident from the claim in the *Origines* that the early Romans imitated the Sabine discipline in many ways.³¹ That the Sabines themselves are claimed to have been settled in Italy by Sabus the Spartan, and their discipline is so patently Spartan in character, merely reveals the difficulty of inventing an identity for Rome which is not built out of fundamentally Greek

²⁹ See also Plaut. *Most.* 64, 960. The paradox is heightened by the explicit reference at Plaut. *Most.* 30 and 66 to the fact that the action is set in Attica. For other instances of *pergrae-cari* and *congrae-care*, see Ch. 1, p. 5 n. 18.

³⁰ Plaut. *Most.* 41, *caeno κοπρῶν commixte*. I accept Leo's emendation here. For talking in Greek and putting on airs, see Ch. 1, p. 5 n. 18.

³¹ Cato *orig.* fr. 50 P = D.H. 2. 49. 2–5 and fr. 51 P = Serv. at Verg. *Aen.* 8. 638. Note esp. fr. 51: 'Cato autem et Gellius a Sabo Lacedaemonio trahere eos originem referunt; porro Lacedaemonios durissimos fuisse omnis lectio docet, Sabinorum etiam mores populum Romanum secutum idem Cato dicit: merito ergo "severis", qui et a duris parentibus orti sunt et quorum disciplinam victores Romani in multis secuti sunt.' See also Cato *orig.* fr. 76 P = Serv. Auct. at Verg. *Aen.* 9. 600: 'Italiae disciplina et vita laudatur, quam et Cato in Originibus et Varro in Gente Populi Romani commemorat.' Servius here is commenting on the speech of Numanus Remulus, and the latter's celebration of Italian *duritia* at Verg. *Aen.* 9. 603 is strongly resonant of the version of his own Sabine upbringing at Cato, *ORF*³ fr. 128 = Fest. p. 350 L. For Sabus, the Sabines, and Sparta, see also Rawson (1969) 99.

patterns of thought.³² The degree to which the *Origines* developed this position further is unclear, but it is noteworthy that the Roman agricultural writers—the Reatine M. Terentius Varro, Columella, and Pliny the Elder—all preface didactic works written in the tradition of Cato's own *De Agri Cultura* with a historical passage celebrating the agrarian basis of the early Roman polity. It is here that one learns of the higher esteem in which the rural tribes were held;³³ of the great farmer-statesmen such as Cincinnatus;³⁴ of the creation of the *viatores* precisely so that senators might be summoned from their farms;³⁵ of the encoding of the belief that a man should work seven days out of eight on the land in the calendar's regulation of *nundinae* market-days.³⁶

The Catonian construction of the agrarian and Sabine basis of early Roman history manifestly bolsters the political programme of Cato himself.³⁷ For the Rome which Cato describes is one written in his own image and which serves to suggest that it is Cato who most truly represents the authentic, ancestral values of the nation.³⁸ If the relationship between the antiquarian studies of Varro and the great political disputes of his own day is more tenuous, he is surely still content to exploit his Reatine origins and trade on the enduring prestige of the Sabine people.³⁹ And it is Varro in turn who offers the version of early Rome and its decline which most eloquently summarizes the conceptual opposition of city and country, Greek and Roman, with which Plautus overlays his Attic model, Varro, *De Re Rustica* 2 pref. 1–3:

virī magni nostri maiores non sine causa *praeponebant rusticos Romanos urbanis*. ut ruri enim qui in villa vivunt ignaviores, quam qui in agro versantur in aliquo opere faciendo, sic qui in oppido sederent, quam qui rura colerent, desidiores

³² Musti (1988) 235–57, esp. 253–7, notes that the explicitly Catonian section of Cato *orig.* fr. 50 P = D.H. 2. 49. 2–5 is in fact that part at D.H. 2. 49. 2–3 which treats Sabus as the son of Sancus and the Sabines as an autochthonous people. Yet even here the reference at 2. 49. 3 to the sending out of unwalled colonies draws on a motif which Briquel (1996) 31 nn. 10–11, cf. Leigh (1997) 188 and n. 40 demonstrates to be classically Spartan. For more reflections on this problem, see section on 'Cato, Carthage, and *Mercatura*' at the end of this chapter and my discussion of the preface to the *De Agri Cultura*.

³³ Varro *rust.* 2 pref. 1; Plin. *nat.* 18. 13.

³⁴ Colum. 1 pref. 13; Plin. *nat.* 18. 20.

³⁵ Plin. *nat.* 18. 20–1.

³⁶ Varro *rust.* 2 pref. 1; Colum. 1 pref. 18; Plin. *nat.* 18. 13.

³⁷ For this linking of early Rome and the Sabines, cf. Lucil. fr. 88 M; Colum. 1 pref. 19, 12 pref. 10.

³⁸ For Cato's Sabine upbringing, see also Plu. *Cat. Ma.* 1. 1.

³⁹ Varro ap. Fest. p. 464 L, 'Sabini dicti, quod ea gens praecipue colat de(os, id est ἀπὸ τοῦ) σέβεισθαι'. For Reate as a centre of the Sabine country, see Cato *orig.* fr. 50 P = D.H. 2. 49. 2.

putabant. itaque *annum ita dividerunt, ut nonis modo diebus urbanas res usurparent, reliquis septem ut rura colerent*. quod dum servaverunt institutum, utrumque sunt consecuti, ut et cultura agros fecundissimos haberent et ipsi valetudine firmiores essent, ac ne *Graecorum urbana* desiderarent gymnasia. quae nunc vix satis singula sunt, nec putant se habere villam, si non multis vocabulis retinniat *Graecis*, quom vocent particulatim loca, procoetona, palaestram, apodyterion, peristylon, ornithona, peripteron, oporothecen. igitur quod nunc *intra murum fere patres familiae correpserunt relictis falce et aratro* et manus movere maluerunt *in theatro ac circo, quam in segetibus ac vinetis*, frumentum locamus qui nobis advehat, qui saturi fiamus ex Africa et Sardinia, et navibus vindemiam condimus ex insula Coa et Chia.

It was not without reason that those great men, our ancestors, put the Romans who lived in the country ahead of those who lived in the city. For as in the country those who live in the villa are lazier than those who are engaged in carrying out work on the land, so they thought that those who settled in town were more indolent than those who dwelt in the country. Hence they so divided the year that they attended to their town affairs only on the ninth days, and dwelt in the country on the remaining seven. So long as they kept up this practice they attained both objects—keeping their lands most productive by cultivation, and themselves enjoying better health and not requiring the citified gymnasia of the Greeks. In these days one such gymnasium is hardly enough, and they do not think they have a real villa unless it rings with Greek names—places severally called *procoetion* (ante-room), *palaestra* (exercise-room), *apodyterion* (dressing-room), *peristylon* (colonnade), *ornithon* (aviary), *peripteros* (pergola), *oporothea* (fruit-room). As therefore in these days practically all the heads of families have crept within the walls, abandoning the sickle and the plough, and would rather busy their hands in the theatre and in the circus than in grain-fields and the vineyards, we hire a man to bring us from Africa and Sardinia the grain with which to fill our stomachs, and the vintage we store comes in ships from the islands of Cos and Chios.

The exquisite juxtaposition *Graecorum urbana* says it all.⁴⁰

Polarities and *Parodoi*

The aim of the argument set out so far has been to demonstrate both continuity and change in assumptions about, and representations of, the life of city and country from Aristophanes to Menander and on

⁴⁰ See also Titin. *com.* 175 = Fest. p. 235 L, 'hominem improbum! nunc ruri pergraecatur.' The shock felt at a character Greeking it up even when in the countryside suggests that the city is the natural locus of such dissipation. For discussion, see Ch. 1, pp. 6–12.

to Plautus. In particular, the evidence adduced to suggest that the opposition of town and country in Roman comedy intersects with Catonian discourses of Hellenization and authentic national identity is fundamental both to the particular issues to be addressed in Chapter 5 and also for my understanding of the new significance which even a text translated with quite slavish fidelity is liable to acquire just by dint of being translated. What though of the theatre? How may such issues have found expression through the particular spatial coordinates typical of the New Comic stage?

New Comedy, it has been observed, 'achieves virtuosity through a rigid conservatism of resources'.⁴¹ Among the most notable ways in which this is true must be a phenomenon already noted in the opening lines of this chapter: the standardization of scenic space and, in particular, of the relationship between the on-stage houses and the spheres conventionally located off-stage and reached by means of the side-exits to left and right. What I therefore offer in this section is a preliminary consideration of the evidence for these scenic conventions provided by ancient writers on the theatre and a comparison of their claims with the pragmatic decisions of individual playwrights. If any generalized account of scenic coordinates and their significance is doomed to be the first casualty of such an investigation, it will be essential always to bear in mind how limited the variety of ways of representing the world remains which New as compared to Old Comedy allows itself and to consider the impact which this has on the expressive possibilities most characteristic of the form.

The conventional destinations to which characters are understood to depart on quitting the New Comic stage remain consistent between Greece and Rome.⁴² In both forms, those plays set in the standard urban environment employ the same typical pattern of side-exits either to country, *agora*, or port. Both forms also include a number of dramas where the action has been displaced to the countryside, or to a beach. These need not, however, establish entirely new coordinates: in the *Dyskolos* it is apparent that one side-exit introduces the urban rich to the stage and with them their life of *truphe*, while the other leads out into the harsh and stony fields where Knemon chooses and his kin are

⁴¹ Lowe (1987) 128.

⁴² The idea that the 'angiportum' mentioned in Roman comedy is an alley leading between two of the houses on stage is dismissed by Dalman (1929) 66–70; Duckworth (1952) 87–8; Beare (1964) 256–63 in favour of the notion of a street taken to run behind the houses depicted on stage. Harsh (1937) demonstrates that 'angiportum' can simply mean 'street'.

obliged to toil.⁴³ A crucial moment in the play therefore is the change in costume of Sostratos, his exit to the world of labour and subsequent return tanned and hobbled with an aching back.⁴⁴ Speech, costume, action, and movement all contribute to the same effect.⁴⁵

Yet a persistent problem, and one which produces considerable confusion, is that of the need to distribute three directions by which a character may enter and leave the stage between only two exits. In particular, two pieces of ancient evidence tell contradictory stories about the Greek and Roman stage. While the text of the former is also manifestly self-contradictory and implausible as it stands, the relative clarity of the latter makes the evidence it provides no more reliable for that.

The first passage is the account of the decorated revolving panels (*periaktōi*) and side-exits (*parodoi*) at Pollux, *Onomasticon* 4. 126–7:

παρ' ἐκάτερα δὲ τῶν δύο θυρῶν τῶν περὶ τὴν μέσσην ἄλλαι δύο εἶεν ἄν' μηχαναὶ [δ'] ἐκατέρωθεν, πρὸς αἷς αἱ περιάκτοι συμπεπῆγασιν, ἡ μὲν δεξιὰ τὰ ἔξω πόλεως δηλοῦσα, ἡ δ' ἑτέρα [τὰ] ἐκ πόλεως, μάλιστα τὰ ἐκ λιμένος· καὶ θεοὺς τε θαλαττίους ἐπάγει, καὶ πάνθ' ὅσα ἐπαχθέστερα ὄντα ἡ μηχανὴ φέρειν ἄδυνατέι. εἰ δ' ἐπιστραφεῖεν αἱ περιάκτοι, ἡ δεξιὰ μὲν ἀμείβει τόπον, ἀμφοτέραι δὲ χώραν ὑπαλλάττουσιν. τῶν μέντοι παρόδων ἡ μὲν δεξιὰ ἀγρόθεν ἢ ἐκ λιμένος ἢ ἐκ πόλεως ἄγει· οἱ δ' ἀλλαχόθεν πεζοὶ ἀφικνούμενοι κατὰ τὴν ἑτέραν εἰσίσαισι. εἰσελθόντες δὲ κατὰ τὴν ὀρχήστραν ἐπὶ τὴν σκηνὴν ἀναβαίνουνσι διὰ κλιμάκων· τῆς δὲ κλίμακος οἱ βαθμοὶ κλιμακτῆρες καλοῦνται.

To each side of the two central doors will be two others; and on either side stage machines, to which are fixed the *periaktōi*, that to the right showing those things outside the city, the other those things from the city, particularly those things from the harbour. And it introduces sea-gods and everything which is too heavy for the stage machinery to be able to lift. Should the *periaktōi* be reversed, the right one alters the location, both change the region. Of the side-entrances, meanwhile, that to the right leads from the country or from the harbour or from the city, while those entering on foot from elsewhere come in

⁴³ For atypical locations in New Comedy, see Lowe (1987) 128. For the effect of Knemon on his kin, see Lowe (1987) 130, 132. For the staging of the *Rudens* and the thematic oppositions between sea and city which it constructs, see Konstan (1983) 77, 80–6, 89.

⁴⁴ Men. *Dysk.* 355–7, 364–70, 390–2, 754–5, 764–71. Sostratos never actually encounters Knemon out in the fields, but his suntan is noted by Knemon at 754–5 and the inference is drawn that he is a farmer. For a similar motif, cf. Plaut. *Vid.* 35–6.

⁴⁵ It should be stressed that this is indeed an effect. Gorgias at Men. *Dysk.* 764–71 praises Sostratos for not adopting a false character and for his willingness to make himself equal with a poor man, but Sostratos has nevertheless adopted a disguise and has been acting out a part for the benefit of Knemon. It is hard to imagine Sostratos sustaining his zeal for labour for long after the wedding.

from the other side. Those entering via the *orchestra* climb up onto the stage by ladders; and the rungs of the ladder are called *klimakteres*.

The text printed is that in Bethe's edition of Pollux. The notion of entries from country, city, and port suggests that the genre at issue is New Comedy, but the reference to movement of one *periaktos* implying a change of scene, and of both a change of location, refers to a separate tradition, since the setting of New Comedy is stable and continuous for the duration of the play. The text is further confused by the claim, first, that the left *periaktos* displays scenes of city and port, the right scenes from the country, second, that entry from country, port, and city is by the right *parodos* with others entering from elsewhere on foot coming in by the left.⁴⁶ One explanation for this incongruity is that Pollux has shifted without acknowledgement from consideration of right and left from the actor's point of view in the former passage to that of the audience in the latter.⁴⁷ Yet this still leaves the question of why one *parodos* should cover all three standard exits and entrances and the other only the imprecise 'from elsewhere'. Rohde's emendation eliminates both the difficulties in the passage but does so only by means of a radical rewriting of the text.⁴⁸ Other solutions make no attempt to eliminate the shift in point of view but either delete ἀγρόθεν ('from the country') or emend it to ἀγορήθεν ('from the *agora*').⁴⁹ The most elegant solution, however, is to treat ἢ ἐκ λιμένος ἢ ἐκ πόλεως ('or from the harbour or from the city') as a gloss on the imprecise ἀλλαχόθεν ('from elsewhere') which has been misplaced in transmission. This eliminates both the shift in point of view and the incongruity of one *parodos* covering all three destinations.⁵⁰

The solution proposed is the best way to make sense of the confus-

⁴⁶ Pickard-Cambridge (1946) 236 notes the confusion but proposes no solution. Wiles (1991) 41 claims that this passage of Pollux is 'compressed, but not as contradictory as it appears', but fails to acknowledge the problems thrown up by the account of the *parodoi*. The translation in Csapo and Slater (1995) 397 presupposes considerable emendation.

⁴⁷ Schönborn (1858) 73. For other versions of this case, see also Rees (1911) 378.

⁴⁸ Rees (1911) 382 attributes the following version to Rohde: τῶν μέντοι παρόδων ἢ μὲν ἀριστερὰ ἢ ἐκ λιμένος ἢ ἐκ πόλεως ἄγει· οἱ δὲ ἀγρόθεν ἢ ἀλλαχόθεν περὶ αἰκινούμενοι κατὰ τὴν ἑτέραν εἰσίσσι.

⁴⁹ Bethe's apparatus attributes the deletion of ἀγρόθεν to an anonymous reviewer of Schönborn (1858). One basis for the deletion might be the claim that ἀγρόθεν is a misplaced gloss on ἀλλαχόθεν, but the identification of ἢ ἐκ λιμένος ἢ ἐκ πόλεως as the gloss eliminates both problems where this removes only one. Schönborn (1858) 74, endorsed by Fensterbusch (1926) 482, argues that ἀγορήθεν is a generalized direction which can refer to both city and port, but this seems rather forced.

⁵⁰ I owe this idea to conversations with Michael Winterbottom.

ing account provided by Pollux. It must, however, be confessed that, even when freed from evident self-contradiction by means of emendation, this passage may still provide a model too inflexible to be applied to all available evidence. Beare's interpretation of the *Kitharistes*, for instance, suggests that one exit leads to port and country and the other to the city, and this in turn is accepted by Arnott.⁵¹

The second account is that given specifically for the Roman theatre at Vitruvius 5. 6. 8:

ipsae autem scaenae suas habent rationes explicatas ita, uti mediae valvae ornatus habeant aulae regiae, dextra ac sinistra hospitalia, secundum autem spatia ad ornatus comparata, quae loca Graeci *περιάκτους* dicunt ab eo, quod machinae sunt in his locis versatiles trigonos⁵² habentes singula tres⁵³ species ornatationis, quae, cum aut fabularum mutationes sunt futurae seu deorum adventus, cum tonitribus repentinis [ea] versentur mutantque speciem ornatationis in frontes. secundum ea loca versurae sunt procurentes, quae efficiunt una a foro, altera a peregre aditus in scaenam.

The scenery itself is so arranged that the middle doors are figured like a royal palace, the doors on the right and left are for strangers. Next on either side are the spaces prepared for scenery. These are called *periaktoi* in Greek from the three-sided machines which turn having on their three sides as many kinds of subject. When there are to be changes in the play or when the gods appear with sudden thunders, they are to turn and change the kind of subject presented to the audience. Next to these the angles of the walls run out which contain the entrances to the stage, one from the public square and the other from abroad.

Here too it is unclear to what extent the author refers to a comic schema, for the initial reference to a royal palace is appropriate only for tragedy.⁵⁴ In discussing the side-entrances, Vitruvius makes no reference to left and right, only to 'the one' and 'the other'. Where his evidence is striking is in his claim that one exit leads from the forum, the other from abroad. The standard interpretation of this sentence is therefore to take from abroad (*peregre*) as referring to both port and country, and detailed work has been carried out to try to demonstrate

⁵¹ Beare (1964) 251–2.

⁵² 'trigonos' *HS*; 'trigonoe' *Schn.*; 'trigones' *G*.

⁵³ 'in singula tres' *x*; 'singulares' *Kr*.

⁵⁴ Vit. 5. 6. 9 goes on to distinguish the stage settings appropriate for tragedy, comedy, and the satyr play, and describes the family houses typical of comedy. The bigger issue is whether a description of side-entrances which is valid for tragedy will also hold in all cases for comedy.

the compatibility of this schema with the evidence of the texts of Plautus and Terence.⁵⁵ Yet, to take just one example, it seems evident that the confrontation of Grumio and Tranio must end oddly if the characters exit in the same direction.⁵⁶ Rambo's solution to this problem is to argue that Grumio leaves via the *angiportum*, but this argument depends on an interpretation of later lines in the play which is rejected by more recent scholarship.⁵⁷ Two possibilities therefore emerge: either Grumio and Tranio leave from the same side of the stage or the *Mostellaria* places the port on one side and the country on the other. It might be asked whether, had we no Vitruvius to consult, it would not seem obvious that the direction in which the slaves depart should not be as diametrically opposed as the values they have propounded and worlds they represent. In particular, it is noteworthy that Tranio the urban wag is off to the Piraeus in order to buy fish, and the consumption of fish is implicitly understood as a subset of the life of luxury which this play represents as being lived out in the city.⁵⁸ It must therefore be asked whether dogmatic adherence to Vitruvius does not in fact induce scholars to block out a pattern of movement which cannot but undermine the fundamental effect which the scene has endeavoured to produce.

It will be apparent that the tendency of both the emended Pollux and of Vitruvius is to suggest a standardized distribution of exits and entrances too inflexible consistently to respond to the pragmatic reality of the theatre. Pollux has indeed received sufficient criticism in the past. If, by contrast, the evidence of Vitruvius is not undermined by a garbled text and the perception of its author as a bungler, he should not be free from scepticism for all that. Yet impossible though it may prove

⁵⁵ See esp. Rambo (1915) and Johnston (1933). Their conclusions are endorsed by Duckworth (1952) 85–7 and Beare (1964) 248.

⁵⁶ See Rambo (1915) 430–1.

⁵⁷ Rambo (1915) 430–1 cites Plaut. *Most.* 928, 931–2, cf. 1043–4, and infers that Tranio takes the 'angiportum' when told to go 'rus' to summon Philolaches. However, Beare (1964) 258–9 argues that Tranio exits 'rus' and then sneaks down the 'angiportum' which he understands to run behind the house of Theopropides.

⁵⁸ This claim is confirmed by the words of Simo at Plaut. *Most.* 729–31: 'musicæ hercle agitis aetatem, ita ut vos decet, | vino et victu probo, piscatu electili | vitam colitis.' For comic rustics unfamiliar with the consumption of fish, see Antiph. *Bout.* fr. 69 K-A = Ath. 358D–F, cf. Antiph. *Kour.* fr. 127 K-A = Ath. 303F–304A. For the comic topos of the greed of fishmongers and the high price of fish, see Ath. 224B–228C, cf. Apul. *met.* 1. 24–5. For fish and conspicuous consumption in Athens, see Davidson (1993) 53–7 and (1997) 186–90. For Cato's indictment of a state where a jar of pickled fish can cost more than a ploughman, see Plb. 31. 25. 5 with Wallbank (1979) ad loc.; D.S. 31. 24, 37. 3. 6; Ath. 274F–275A; Plu. *Cat. Ma.* 8. 2, *Mor.* 668B–C; ps-Plu. *Apophth.* *Cat. Ma.* 2; Astin (1978) 179.

to fix any immutable location for the exits to country, *agora*, and port, the ‘rigid conservatism of resources’ remains the hallmark of the form: Old Comedy could take you anywhere in this world and beyond, New Comedy is apt to return to the same places and to the same relationships between places on stage and off. Any analysis of the form and of its persistent thematic preoccupations cannot but confront this fact.⁵⁹

The Justice of Agriculture

The issues to be addressed in this section may best be approached via two passages of Greek New Comedy.⁶⁰ The first stems from the speech of Daos at Menander, *Georgos* 35–9 as he enters bearing a load of myrtle, flowers, and possibly ivy cut for the wedding which is imminent:

DA. ἀγρὸν εὐσεβέστερον γεωργεῖν οὐδένα
οἶμαι· φέρει γὰρ μυρρ[ύνην, κιττὸν] καλόν,
ἄνθη τοσαῦτα· τᾶλλα δ’ ἂν τις καταβάλῃ,
ἀπέδωκεν ὀρθῶς καὶ δικαίως, οὐ [πλέον,
ἀλλ’ αὐτὸ τὸ μέτρον.

I don’t think anybody farms on land more pious. It produces myrtle trees, fine [ivy]—and so many flowers! Yet if anyone sows other crops, it pays back strictly and justly, no more, just the amount it received.

⁵⁹ For a further attempt to think about these issues with reference to theatrical space, see pp. 132–7. Much will also be made in pp. 137–48 of the contrast between port and country in the *Mercator* of Plautus. Yet here too the text may frustrate any attempt to map out this opposition in terms of any fixed scenic coordinates. Lefèvre (1995) 43 points to Plaut. *Merc.* 219–23, esp. 220 ‘istac’, cf. 223 ‘hac’, where the obvious implication is that the port can be reached either by the right- or the left-hand exit. See also Plaut. *Merc.* 326, cf. 335, for Lysimachus exiting to the port and then Charinus entering apparently from the same direction without any suggestion that they have met. It must therefore be concluded either that Charinus never did go to the port (if he did, we hear nothing of what he did there) or that we are asked to imagine an almost immediate bifurcation of the way as soon as the character leaves the stage or (as Lefèvre would probably argue) that all such considerations are of no interest to Plautus at all.

⁶⁰ Old Comedy offers some parallels for the perspectives sampled here. Note esp. Ar. *Ach.* 32–6 for the nostalgia of Dicaeopolis for the farm which produces all that he needs and spares him any involvement in the mercantile economy; cf. 719–28, 899–900, 971–7, for the creation of a new *agora* which will operate through barter. Good discussion in Olson (1991). See also Ar. *Pl.* 28, 37, 87–92, 95–8, 218–19 cf. 223–6, 233, 386–8, 428, 457–60, 473–5, 563–71, 627–30, 750–6, 1025–31, where the associates of Chremylus who start the play just and poor, and end it decidedly more compromised, are also farmers. For the generally far more exuberant account of the potential of agriculture and the contribution of merchant trade found in Old Comedy, see Wilkins (2000) 103–201.

The second is a fragment of Philemon quoted by Stobaeus as part of his collection of sayings in praise of agriculture, Philemon fr. 105 K-A = Stob. 4. 15a. 15:

δικαιοτάτον κτῆμ' ἐστὶν ἀνθρώποις ἀγρός·
ὧν ἡ φύσις δέϊται γὰρ ἐπιμελῶς φέρει,
πυρούς, ἔλαιον, οἶνον, ἰσχάδας, μέλι.
τὰ δ' ἀργυρώματ' ἐστὶν ἣ τε πορφύρα
εἰς τοὺς τραγωιδοὺς εὖθ' ἐστ', οὐκ εἰς τὸν βίον.

A field is the most just possession for men. For what nature requires it carefully bears: barley, oil, wine, figs, honey. Silver-plate and purple will do for the tragedians, not for life.

Both of these passages therefore testify to the justice of agriculture. They do so, however, in different terms. The passage from Menander turns on a conception of justice familiar from Plato, namely the giving back of that which one has received from another, and makes a joke of it: the farmer sows his seed in the soil and the soil in turn pays back just that seed.⁶¹ The joke is a familiar piece of agricultural gallows humour in the period,⁶² a salty corrective to the cheerier view that the earth teaches justice by paying abundant interest on the seed and the care invested in her.⁶³ Philemon, on the other hand, finds the justice of agriculture in its ability to provide farmers with those things which the basic requirements of life demand. These products are then contrasted with silver-plate and purple, luxuries and status symbols appropriate to tragedy presumably because the stuff of the powerful and of kings.⁶⁴

⁶¹ For this conception of justice, see Pl. *R.* 331C–332A and Dover (1975) 171.

⁶² Xen. *Cyr.* 8. 3. 38; fr. com. adesp. 895–6 K-A = Stob. 4. 15^b. 28; Philem. fr. 92. 5–11 K-A = Stob. 4. 34. 16, fr. 100 K-A = Stob. 4. 15^b. 26; Diph. fr. 89 K-A = Stob. 4. 15^b. 22. At Plaut. *Trin.* 529–30 Stasimus goes even further and suggests that their field returns three times less than is invested in it.

⁶³ Xen. *Oec.* 5. 12; Muson. fr. 11 Hense; Cic. *off.* 1. 48; Verg. *georg.* 2. 458–60; *TLL* vi. 1. 483. 66–484. 3 s.v. 'fenus'. For possible play on 'fenus' and 'fenum', see Fest. p. 76 L s.v. 'fenus', cf. Gratwick (2002) 56–7. Lamagna (1998) 96–8 appreciates the joke in the speech of Daos and compares it to the description of the sheep bought by Nikeratos at Men. *Sam.* 399–404. Less satisfactory—and indeed contradicted by the very joke he has explained—is Lamagna's subsequent claim that the failure of the field to yield crops is attributable to its neglect on the part of its wealthy owner. The landsman of Xen. *Cyr.* 8. 3. 38 has scarcely neglected his field.

⁶⁴ For silver plate (ἀργυρώματα) and the life of luxury, see the passages collected at Ath. 228C–231B, esp. 231A which cites Men. *Haut.* fr. 78 K-A λοντρόν, θεραπαίνας, ἀργυρώματα. K-A compare Ter. *Haut.* 124–31 where Menedemus lists the means employed by his urban *familia* to console him for the loss of his son. Brothers (1988) ad loc. suggests 140–6 and 451–2 as other possible parallels. The last may be discounted on the grounds that courtesans cannot be expected to carry their silver-plate with them; both 124–31 and 140–6 are significant

Those who seek such baubles are unwilling to live according to nature and will need to pursue an alternative occupation if they are to obtain them. As will be seen, such other occupations bring with them a number of attendant risks.

The first passage quoted therefore appropriates an ethical concept in order to comment on a relationship which itself has no true ethical content. For, while the readiness of one man to pay back to another that which he has received is a workable model for justice, the application of the concept to the sowing of seed attributes to the earth a moral consciousness which the speaker is aware that it does not enjoy.⁶⁵ By contrast, the second passage finds justice in agriculture precisely because of its implications for the interaction of the owner of the field with his fellow men. For he who is content to work the earth and subsist on that which it provides will never be driven to do wrong to others. The disavowal of silver-plate and purple as the stuff of the tragedians has an obvious metatheatrical impact coming from the voice of a comic actor, but it also uses tragedy as a generalized heading for the disasters attendant on human ambition.⁶⁶ Plutarch appeals to a similar understanding of the justice of agriculture, when he states that Philopoemen turned to this way of life as the most just, and held that a man who meant to keep his hands off the possessions of others should acquire his own.⁶⁷

The preoccupation with the justice of agriculture is prominent elsewhere in Greek New Comedy.⁶⁸ It is, moreover, of particular importance to the representation of Knemon in the *Dyskolos*. For to treat this figure as a simple misanthrope would be seriously to underestimate the importance of his position.⁶⁹ Knemon, in short, does not shun other

because they describe the urban delights which Menedemus sells in order to punish himself by working the fields.

⁶⁵ It is instructive to compare Men. *Xen.* fr. 255 K-A = Theon *Prog.* 4 (*Rhet. Graec.* p. 91, 11 Sp.) where the agricultural metaphor of the crop is used in describing the feeling of the poor man's son that he ought to repay his father for the upbringing which he received (see esp. vv. 3-4: *παίδευθεις γὰρ εἶ | τὸν καρπὸν εὐθὺς ἀπεδίδον καλόν*).

⁶⁶ The philosophical underpinnings of the latter passage are perhaps reflected in the anachronistic claim of D.L. 2. 25 that the ascetic Socrates would quote the last two lines when faced with the mass of goods on sale. Gallo (1985) clears away some serious misconceptions concerning this citation.

⁶⁷ Plu. *Phil.* 4. 5.

⁶⁸ See also Men. *Plok.* fr. 301 K-A = Stob. 4. 15^a. 5; Men. fr. 780 K-A = Stob. 4. 15^a. 9 where a wicked man pretends to be a rustic; [Men.] fr. 1001. 14-19 K-A = Clem. Al. *Strom.* 5. 119. 1. Del Corno (1969) 90-2 cites the *Plokion* fragment and argues that the figures of Cleaenetus in the *Georgos* and Gorgias in the *Dyskolos* bear out its verdict.

⁶⁹ Konstan (1995) 99-102 is sympathetic on this point, but 105-6 underestimates the

people because he has an innate antipathy for company; rather he does so because he shuns the wickedness which corrodes their interaction. It is in this way that Sostratos can think of Knemon not so much as loathing men *tout court* as loathing vice, and infer from this that the farmer's daughter will have received a truly moral upbringing.⁷⁰ Nor is this just the witless optimism of an infatuated young lover. For Pan has informed us at the outset of the play that the girl is *like to her upbringing* and knows nothing bad.⁷¹

The crucial passage in this context is Knemon's grand confession after being rescued from the well.⁷² Here he speaks of the self-sufficiency (*autarkeia*) which he has pursued and represents it as his reaction to the evil ways men adopt in pursuit of gain,⁷³ ways which have convinced him that there is no disinterested kindness to be found in the world.⁷⁴ Were all like him, he goes on to claim, there would be no courts or prisons or wars.⁷⁵ To some extent, these sentiments cohere with the fifth- and fourth-century critique of interference in the affairs of others (*polupragmosune*), most notably through the malicious prosecutions of the *sukophantes*.⁷⁶ Nor is it unusual for the quietist farmer to be contrasted with the interventionism of the urban prosecutor.⁷⁷ Yet this risks understating the extent of Knemon's pessimism. For it would be quite possible to immerse oneself in the acquisitive economy and deal

enduring validity of Knemon's position even when he becomes the victim of the forced integrations of Act V.

⁷⁰ Men. *Dysk.* 381–9, esp. 388 παρὸς ἀγρίου μισοπότηρου τῷ τρόπῳ. Cf. Antiph. fr. 157 K-A = Ath. 226C–E, a 12-line passage from the *Misoponeros* in which what must be the title character lists all the professions which he holds to be immoral, finishing in vv. 11–12 with bankers. For links to and deviations from Timon in the 5th–4th cent. BC comic μισοπόνηρος, see Görler (1963).

⁷¹ Men. *Dysk.* 34–6, ἡ δὲ παρθένος | γέγονεν ὁμοία τῇ προφῆτι τῆς, οὐδὲ ἐν | εἰδυῖα φλαῦρον. Lewis' emendation γέγον' ἀνομοία overlooks all that is virtuous in the life of Knemon. For discussion of these lines as the first hints at a morally virtuous basis to Knemon's misanthropy, see Görler (1963) 278–80, cf. Del Corno (1969) 90.

⁷² Men. *Dysk.* 710–47, esp. 713–21.

⁷³ Note esp. Men. *Dysk.* 720, πρὸς τὸ κερδαίνειν.

⁷⁴ Men. *Dysk.* 720–1.

⁷⁵ Men. *Dysk.* 743–5. Post (1959) 408 refers to the hilltop men of Pl. *Lg.* 679B, for which see below p. 119 n. 97. Antiph. fr. 281 K-A = Stob. 3. 9. 15 (ὁ μὴθὲν ἀδικῶν οὐθενὸς δέεται νόμον) appears to express a similar view. Does it derive from the *Misoponeros*?

⁷⁶ Konstan (1995) 99 and n. 24 citing Ehrenberg (1947) and Adkins (1976). For the ills of the *sukophantes* in comedy, see Ar. *Ach.* 904, *Av.* 1410–69; Men. fr. 768 K-A = Stob. 4. 2. 7; Alex. *Poiet.* fr. 187 K-A = Ath. 74 E with Arnott (1996) ad loc.; Antiph. *Hom.* fr. 177 K-A = Ath. 43B–C; Eub. *Olb.* fr. 74 K-A = Ath. 640B–C; Philippid. fr. 30 K-A = Stob. 3. 2. 8.

⁷⁷ Ar. *Pl.* 899–923, esp. 901–4; Lys. 1. 16, 7. 1, 20. 12; Lib. 8. 262. 15–263. 12F, 8. 354. 9–355. 3F; Ehrenberg (1947) 56–7; Adkins (1976) 308–11; Carter (1986) 83.

with other men on a daily basis while still shunning the specific vice of malicious prosecution. What Knemon seems to argue, however, is that all human interaction is poisoned by the pursuit of gain, and this can be as true of the market economy's pursuit of profit as it is of the prosecutor's desire for a percentage of the convicted man's estate.⁷⁸

The implication of the creed espoused by Knemon is that subsistence agriculture is just because it frees the farmer from the necessity of any form of economic interaction with other men and allows him to concentrate exclusively on the nurture of the soil. As soon as men meet each other to buy and sell and seek for profit, manifold wickedness will enter their affairs. This, needless to say, is the position of a moral extremist who exhibits a gravely damaged and damaging personality throughout the play.⁷⁹ It is not, however, simply wrong: the goal of the comedy may be to lure Knemon away from his faith in *autarkeia* and to institute a new familial order through marriage, but the *Dyskolos* would be a considerably less challenging work were it possible to dismiss everything which he says as grotesque or absurd. Indeed the respectability of much of what he claims is underscored by the way that it, much like the position advanced by the speaker of the Philemon fragment from which this section began, overlaps with important strands in contemporary thought, in particular the delineation of the various modes of economic activity provided by Aristotle and his followers. This may be illustrated first of all by reference to the following passage from book 1 of the ps-Aristotelian *Oeconomica*, a work of clear Peripatetic stamp which scholarship attributes to a pupil of Theophrastus or of Aristotle himself:

κτήσεως δὲ πρώτη ἐπιμέλεια ἡ κατὰ φύσιν· κατὰ φύσιν δὲ γεωργικὴ προτέρα, καὶ δεύτεραι ὅσαι ἀπὸ τῆς γῆς, οἷον μεταλλευτικὴ καὶ εἴ τις ἄλλη τοιαύτη. ἡ δὲ γεωργικὴ μάλιστα ὅτι δικαία· οὐ γὰρ ἀπ' ἀνθρώπων, οὐθ' ἐκόντων, ὥσπερ καπηλεία καὶ αἱ μισθαρνικαί, οὐτ' ἀκόντων, ὥσπερ αἱ πολεμικαί. ἔτι δὲ καὶ

⁷⁸ Cf. Men. *Hydr.* fr. 356 K-A = Stob. 4. 16. 5, where the power of the countryside to promote the virtuous life derives from its isolation: ὡς ἡδὺ τῶι μισοῦντι τοὺς φαύλους τρόπους | ἐρημία, καὶ τῶι μελετῶντι μηδὲ ἐν | πονηρὸν ἱκανὸν κτήμ' ἀγρὸς τρέφειν καλῶς. | ἐκ τῶν ὄχλων δὲ ζῆλος, ἡ τε κατὰ πόλιν | αὐτῇ τρυφῇ λάμπει μέν, εἰς δ' ὀλίγον χρόνον. For discussion of this passage, see Del Corno (1969) 89–90; Gaiser (1977) 187–8. For similar expressions of moral pessimism, see Men. fr. 674 K-A = Sen. *nat.* 4 p. 19, cf. fr. 907 K-A = *Gnomol. Pap. Ox.* 3005 vv. 1–2. The emptiness of the countryside is also celebrated at Men. *Plok.* fr. 299 K-A = Stob. 4. 32^b. 42, *Georg.* 76–82; Amphis *Erith.* fr. 17 K-A = Stob. 4. 15^a. 4 but in all these cases this is due to its ability to hide poverty from the gaze of others. For discussion of this motif, see Del Corno (1969) 88–9.

⁷⁹ For what is profoundly wrong with Knemon and what the comedy cannot leave unresolved, see Lowe (1987) 130, 132–5.

τῶν κατὰ φύσιν· φύσει γὰρ ἀπὸ τῆς μητρὸς ἡ τροφή πᾶσιν ἐστίν, ὥστε καὶ τοῖς ἀνθρώποις ἀπὸ τῆς γῆς.

Of occupations attendant on our goods and chattels, those come first which are natural. Among these precedence is given to the one which cultivates the land; those like mining, which extract wealth from it, take the second place. And agriculture particularly because it is just; for the wealth it brings is not derived from other men, either those who are willing, as in the case of trade or wage-labour, or those who are unwilling, as in warfare. It is also a natural occupation; for by Nature's appointment all creatures receive sustenance from their mother, and mankind like the rest from their common mother, the earth.⁸⁰

The claims made in this passage of the *Oeconomica* are substantially paralleled at *Politics* 1256^a1-1259^a36. Here too, Aristotle expresses the view that it is the job of the householder to derive wealth from those things supplied by nature for subsistence,⁸¹ and treats mining as an intermediary stage between agriculture and exchange. However, the passage which is of most crucial importance is that at 1258^a38-^b8 where Aristotle first praises the household economy and indicts exchange, then identifies different levels of reprehensibility in trade, lamenting the exchange of goods for money but describing the making of money from money by usury as worst of all:

διπλῆς δ' οὔσης αὐτῆς, ὥσπερ εἵπομεν, καὶ τῆς μὲν καπηλικῆς τῆς δ' οἰκονομικῆς, καὶ ταύτης μὲν ἀναγκαίης καὶ ἐπαινουμένης, τῆς δὲ μεταβολικῆς ψεγομένης δικαίως (οὐ γὰρ κατὰ φύσιν ἀλλ' ἀπ' ἀλλήλων ἐστίν), εὐλογώτατα μισεῖται ἡ ὀβολοστατικὴ διὰ τὸ ἐπ' αὐτοῦ τοῦ νομίσματος εἶναι τὴν κτῆσιν καὶ οὐκ ἐφ' ὥστε ἐπορισάμεθα. μεταβολῆς γὰρ ἐγένετο χάριν, ὃ δὲ τόκος αὐτὸ ποιεῖ πλέον. ὅθεν καὶ τοῦνομα τοῦτ' εἴληφεν· ὅμοια γὰρ τὰ τικτόμενα τοῖς γεννώσιν αὐτὰ ἐστίν, ὃ δὲ τόκος γίνεται νόμισμα ἐκ νομίσματος. ὥστε καὶ μάλιστα παρὰ φύσιν οὗτος τῶν χρηματισμῶν ἐστίν.

Of the two sorts of money-making one, as I have just said, is a part of household management, the other is retail trade: the former necessary and honourable, the latter a kind of exchange which is justly censured; for it is unnatural, and a mode by which men gain from one another. The most hated sort, and with the greatest reason, is usury, which makes a gain out of money itself, and not from the natural use of it. For money was intended to be used in exchange,

⁸⁰ Ps-Arist. *Oec.* 1343^a26-^b2. For more on the authorship of this work, see Pomeroy (1994) 68 and n. 2. For the disavowal of money made at the expense of victims either willing or unwilling, cf. Colum. 1 pref. 7-8.

⁸¹ Arist. *Pol.* 1258^a19-38. Note esp. 1258^a37-8 διὸ κατὰ φύσιν ἐστίν ἡ χρηματιστικὴ πᾶσιν ἀπὸ τῶν καρπῶν καὶ τῶν ζώων.

but not to increase at interest. And this term usury (*tokos*), which means the birth of money from money is applied to the breeding of money because the offspring (*tiktomena*) resembles the parent. Wherefore of all modes of making money this is the most unnatural.

Implicit in this critique are two related ideas. The first is the notion that the creation of a monetary equivalent for the perceived value of a commodity is a retreat from the natural significance of that commodity, which consists in the immediate fulfilment of one of the needs of subsistence. To make money out of money is therefore one step further removed from man's natural relationship to commodities than is trade.⁸² The second idea is that trade is compromised by the pursuit of profit: men engaging in trade make money from each other by claiming for a commodity a higher price than is truly represented by a calculation of what they expended in order to bring it to market. Just such a critique is attributed by Herodotus to Cyrus who, when warned not to attack any of the Greek states, replies that he has never yet feared a people who have a place set out in the middle of the city where they meet to make oaths and deceive each other.⁸³ Diogenes Laertius in turn refers to another wise outsider, Anacharsis the Scythian, and has him ask how men who disavow the telling of lies do so openly when engaged in trade.⁸⁴ Cicero likewise urges the avoidance of petty trade as an occupation in which no success can be achieved without telling lies.⁸⁵

Two significant results of this investigation of the relationship between the comic celebration of the justice of agriculture and contemporary Aristotelian thought should therefore be emphasized. First, where Aristotle celebrates agriculture as a mode of economic activity, the model of agriculture to which he refers is the domestic, subsistence economy. Of farmers who bring their surplus produce to market and seek to sell it at maximum profit he says nothing. Second, when Aristotle praises agriculture, he habitually does so by differentiating it from

⁸² For comic attacks on bankers and moneylenders, cf. Antiph. *Misop.* fr. 157. 11–12 K-A = Ath. 226C–E, *Neott.* fr. 166 K-A = Ath. 108E–F; Plaut. *Cure.* 506–11, *Most.* 626, 657–8. For Athenian hostility to moneylenders, see also D. 37. 52, 45. 70; Alciph. *Ep.* 1. 13, 2. 5 Schepers.

⁸³ Hdt. 1. 152–3, esp. 1. 153. 1, cf. Xen. *Cyr.* 1. 2. 3. This passage is discussed at Finley (1974) 47–8 who also cites Aristoxenus fr. 58B2 D-K for the claim that Pythagoras praised the study of numbers as a means to deter the people from merchant activity.

⁸⁴ D.L. 1. 104, πῶς ἔλεγεν ἀπαγορεύοντες τὸ ψεύδεσθαι ἐν ταῖς καπηλείαις φανερώς ψεύδονται;

⁸⁵ Cic. *off.* 1. 150, 'sordidi etiam putandi qui mercantur a mercatoribus quod statim vendant; nihil enim proficiant nisi admodum mentiantur.'

other more compromised exchange-based modes of economic activity, most notably trade and usury.⁸⁶ When he goes on to distinguish the different modes of exchange, it is noteworthy that the most important of these is *emporía*, which he divides into the three categories of ship-owning, transport of goods, and retail trade.⁸⁷ To this way of thinking, port and *agora* are subsets of one model of economic activity opposed to that of domestic agriculture.

The Perils of the Port

The Aristotelian critique of economic exchange is not entirely shared by Plato. In particular, the *Laws* regard the retail trade as potentially beneficial for the city if it allows men to make good their lack of a given commodity and evens out inequalities of provision.⁸⁸ Where Plato is at one with Aristotle, however, is in his indictment of the unrestrained pursuit of profit.⁸⁹ Innkeepers, for instance, have the opportunity to provide an essential service to travellers in a strange land, but too often charge such exorbitant prices as to treat their clients like prisoners of war whom they will ransom back only for the greatest and most unjust reward.⁹⁰

Where Plato is critical for Hellenistic economic discourse is in his censure of the port. At the start of book 4 of the *Laws*, the notional state described to the Athenian stranger by Clinias the Cretan is described as lying approximately 80 stades inland and possessing excellent harbours by the sea.⁹¹ The Athenian immediately affects distress at the possession of harbours,⁹² but is somewhat reassured by the hilly nature of the state as a whole.⁹³ The ensuing passage sets out the reasons for this attitude:

εἰ μὲν γὰρ ἐπιθαλαττία τε ἔμελλεν εἶναι καὶ εὐλίμενος καὶ μὴ πάμφορος ἀλλ' ἐπιδεῆς πολλῶν, μεγάλου τινος ἔδει σωτήρος τε αὐτῇ καὶ νομοθετῶν θείων

⁸⁶ Finley (1974) emphasizes the absence of proper economic analysis even in those parts of Aristotle's work which engage with the economy (Book 5 of the *Nicomachean Ethics* and Book 1 of the *Politics*). See esp. 39 for the failure even to acknowledge the role of the market trader at Arist. *EN* 1133^a31–b6, and 41–4 for the rejection of his role at Arist. *Pol.* 1257^a24–30, cf. 1258^a14–18, 1258^b1–2, because it does not correspond to the natural exchange whereby communities trade their respective surpluses in order to fill any deficit in local production.

⁸⁷ Arist. *Pol.* 1258^b20–33.

⁸⁸ Pl. *Lg.* 918B.

⁸⁹ Pl. *Lg.* 918C–D.

⁹⁰ Pl. *Lg.* 918D–919B. For the rapacity of innkeepers and barmaids, cf. Ar. *Pl.* 427–8, 435–6.

⁹¹ Pl. *Lg.* 704B.

⁹² Pl. *Lg.* 704C.

⁹³ Pl. *Lg.* 704D.

τινῶν, εἰ μὴ πολλὰ τε ἔμελλεν ἦθι καὶ ποικίλα καὶ φαῦλα ἔξειν τοιαύτη φύσει γενομένη· νῦν δὲ παραμύθιον ἔχει τὸ τῶν ὀγδοήκοντα σταδίων. ἐγγύτερον μέντοι τοῦ δέοντος κείται τῆς θαλάττης, σχεδὸν ὅσον εὐλιμενωτέραν αὐτὴν φῆις εἶναι. ὅμως δὲ ἀγαπητὸν καὶ τοῦτο. πρόσοικος γὰρ θάλαττα χώραι τὸ μὲν παρ' ἐκάστην ἡμέραν ἡδύ, μάλα γε μὴν ὄντως ἀλμυρὸν καὶ πικρὸν γειτόνημα· ἐμπορίας γὰρ καὶ χρηματισμοῦ διὰ καπηλείας ἐμπιπλάσα αὐτὴν, ἦθη παλίμβολα καὶ ἄπιστα ταῖς ψυχαῖς ἐντίκτουσα, αὐτὴν τε πρὸς αὐτὴν τὴν πόλιν ἄπιστον καὶ ἄφιλον ποιεῖ καὶ πρὸς τοὺς ἄλλους ἀνθρώπους ὡσαύτως.

For if the state was to be on the sea-coast, and to have fine harbours, and to be deficient in many products, instead of productive of everything, in that case it would need a mighty saviour and divine lawgivers if, with such a character, it was to avoid having a variety of luxurious and depraved habits. As things are, however, there is consolation in the fact of that 80 stades. Still, it lies unduly near the sea, and the more so because, as you say, its harbours are good; that, however, we must make the best of. For the sea is, in very truth, 'a right briny and bitter neighbour', although there is sweetness in its proximity for the uses of daily life; for by filling the markets of the city with foreign merchandise and retail trading, and breeding in men's souls knavish and tricky ways, it renders the city faithless and loveless, not just to itself but to the rest of the world as well.⁹⁴

For all that this state is to be built on Crete, the preoccupations remain firmly Athenian. As has been noted, the 80 stades which separate port and city are precisely double the distance between Athens and the Piraeus—and still this is not enough.⁹⁵ Implicit in this discourse, therefore, is a conservative critique of the influence of the Piraeus and its denizens on Athenian political life.⁹⁶ What is specifically singled out here corresponds in turn to the critique of exchange and the profit motive described above: the prominence of merchant activity and retail trade makes tricksters of the people, presumably by making them 'lie' about the true value of their goods as they aim for an ever greater return on their activities.⁹⁷ In a later passage, Plato considers the perils

⁹⁴ Pl. *Lg.* 704D–705A.

⁹⁵ Von Reden (1995) 27–8.

⁹⁶ Cf. Plu. *Them.* 19. 3–6.

⁹⁷ Note also Pl. *Lg.* 705B, where the Athenian claims that the lack of a maritime export trade will stop the city being filled up with gold and silver, things which he dubs the greatest obstacle to the acquisition of noble and just customs (*εἰς γενναίων καὶ δικαίων ἡθῶν κτῆσιν*). This resumes the argument of Pl. *Lg.* 679B–C, where the hilltop survivors of the cataclysm live all the more happily for their relative equality and lack of wealth; for distinctions between rich and poor provoke 'violence and injustice, rivalry and resentment' (*οὐτὲ γὰρ ὕβρις οὐτ' ἀδικία, ζῆλοί τε αὐ καὶ φθόνοι οὐκ ἐγγίγνονται*). Arat. 127–36 claims that 'Iustitia' was last seen in the countryside. See also Pl. *Lg.* 743C–E for the notion that an agrarian economy with limited money-making will prevent moral decline.

for a well-ordered polity which makes no money, save from agriculture, from the interaction of its citizens with people from abroad.⁹⁸ First among the measures proposed in order to control this pernicious commingling of peoples (*epimixia*) is the strict control on the movements of sea-going merchants (*emporoi*) who will be received in the port but detained from entering the city.⁹⁹

Famously cranky though the *Laws* may be, Plato here develops an idea which will resonate through the works of his successors. Aristotle, for instance, engages with these problems and advocates a separation of port and city in order to avoid the worst consequences of *epimixia* while gaining the practical advantages of maritime trade.¹⁰⁰ His pupil Dicaearchus in turn censures the Greeks for their choice of maritime cities and is a significant influence on Cicero's discussion of the problem in the *De Re Publica*.¹⁰¹ To Cicero the principal evil of a maritime state is the cultural and political instability attendant on *epimixia*.¹⁰² He represents the citizens as living in a state of spiritual exile even when they are not actually absent from the state,¹⁰³ and regards as deeply harmful the neglect of agriculture and warfare attendant on the craze for trade.¹⁰⁴ Luxury and its pernicious attractions are then treated as the products of the sea.¹⁰⁵ Rome, however, is ideally placed to avoid such hazards, for the Tiber allows it to interact with the sea while not actually lying beside it.¹⁰⁶

To the philosophers, the port is a locus of instability in the state. What though of comedy? The theme, it must be confessed, is not prominent in the extant remains of Menander. It is, however, an underlying presence in one fragment of the *Encheiridion* and its allusion

⁹⁸ Pl. *Lg.* 949E–950A.

⁹⁹ Pl. *Lg.* 952E–953A.

¹⁰⁰ Arist. *Pol.* 1327^a11–40, esp. 32–40.

¹⁰¹ Cic. *Att.* 6. 2. 3 cites Dicaearch. fr. 20 Wehrli as the source for the reference at Cic. *rep.* 2. 8. 2 to the maritime character of the cities of the Peloponnese, and states that he 'Graecos in eo reprehendit, quod mare tantum secuti sunt'.

¹⁰² Cic. *rep.* 2. 7. 1–2 'est autem maritimis urbibus etiam quaedam corruptela ac mutatio morum. *admiscentur* enim novis sermonibus ac disciplinis, et importantur non merces solum adventiciae sed etiam mores, ut nihil possit in patriis institutis manere integrum.', cf. Cic. *rep.* 2. 8. 3: 'quid dicam insulas Graeciae? quae fluctibus cinctae natant paene ipsae simul cum civitatum institutis et moribus.'

¹⁰³ Cic. *rep.* 2. 7. 3.

¹⁰⁴ Cic. *rep.* 2. 7. 4.

¹⁰⁵ Cic. *rep.* 2. 8. 1. Gabba (1988) 97–8 suggests on the basis of this passage that Cicero draws on [Xen.] *Ath. Pol.* 2. 7–8, but does not discuss the wider Greek influences at work.

¹⁰⁶ Cic. *rep.* 2. 10. For further discussion of this passage, see below pp. 154–5.

to the notorious pirates of Corycum. 'But the Corycian was listening to him' (Men. *Ench.* fr. 2 Arnott: τοῦ δ' ἄρ' ὁ Κωρυκαῖος ἠκροάζετο) is a proverb conventionally uttered when one is afraid of being overheard and is associated by Strabo with the pirates of Ionian Corycum, who sent spies around the local ports to listen in on the planned routes of visiting vessels and thus facilitate their interception.¹⁰⁷ The port is a place where walls have ears.¹⁰⁸

Plautus, by contrast, offers a memorable image of the maritime city in the *Menaechmi*, a play which is entirely displaced in the direction of the port, and set in a city which itself is attested to have taken civic action in order to eradicate the pernicious influence of *epimixia* and trade.¹⁰⁹ When, therefore, Menaechmus of Syracuse and his wise slave Messenio arrive in the city, the latter is clearly alert to the threats all around, *Menaechmi* 254–64:

MESS. audin, Menaechme? quom inspicio marsuppiū,
viaticati hercle admodum aestive sumus.
ne tu hercle, opinor, nisi domum revorteris,
ubi nihil habebis, geminum dum quaeres, gemes.
nam ita est haec hominum natio: in Epidamnneis
voluptarii atque potatores maxumi;
tum sycophantae et palpatores plurumi
in urbe hac habitant; tum meretrices mulieres
nusquam perhibentur blandiores gentium.
propterea huic urbi nomen Epidamno inditumst,
quia nemo ferme huc sine damno devortitur.

MESS. Listen, Menaechmus, will you. By Hercules, when I inspect the wallet, our touring-fund looks pretty summary. Unless you return home, by Hercules, I warrant you when your cash gives out while you're hunting for your twin, you'll certainly have a twinge. I tell you what, the sort of people you find here is this: in Epidamnus are the very worst of rakes and drinkers. And then the swindlers and sharpers that live in this city, there's no end to them! And then the courtesans—nowhere on earth are they more alluring, people say! This city got its name of Epidamnus for just this reason—because almost everyone that stops here gets damaged.¹¹⁰

¹⁰⁷ Str. 14. 1. 32.

¹⁰⁸ For the perils of piracy in comedy see also Antiph. *Strat.* fr. 202. 7 K-A = Ath. 103E–104A; Men. *Kith.* 45–7, cf. *Hal.* fr. 19 K-A = Phot. a 1907 with Webster (1953) 175; Plaut. *Bacch.* 277–97, *Mil.* 117–18, *Trin.* 1088.

¹⁰⁹ Plu. *Mor.* 297F–298A describes the institution of the *poletes* at Epidamnus, and attributes his role in regulating trade with their Illyrian neighbours to the desire to prevent the pernicious and potentially revolutionary consequences of *epimixia*.

¹¹⁰ For Messenio's fear of 'sycophantae' in Epidamnus, see also Plaut. *Men.* 1087.

And why is Epidamnus such a city of sinners? Undoubtedly because it is one big port. In this comedy, the man on land is still at sea and a pirate ship awaits at every corner. This is the import of the following exquisite use of the identification trope to express Messenio's suspicion of a courtesan's trickery at 338–45:

MESS. minime hercle mirum. morem hunc meretrices habent:
 ad portum mittunt servolos, ancillulas;
 si quae peregrina navis in portum advenit,
 rogitant cuiatis sit, quid ei nomen siet,
 postilla extemplo se applicant, agglutinant.
 si pellexerunt, perditum amittunt domum.
 nunc in istoc portu stat navis praedatoria,
 aps qua cavendum nobis sane censeo.

MESS. Lord, sir, nothing wonderful in that! This is a custom harlots have: they send their artful slaves and maids down to the port; if any foreign ship comes in, they inquire where she hails from and what her owner's name is, and then they immediately affix themselves, glue themselves fast to him. Once he's seduced they send him home a wreck. Now in that port there is a pirate bark that I surely think we'd better beware of.

The port is the prostitute's house, and she is the pirate bark.¹¹¹ When Erotium emerges, takes Menaechmus of Syracuse for his Epidamnian brother, and leads him off for supper and sex, he and Messenio exchange lines developing the same identification—Menaechmus thinks he's a sexual pirate, Messenio thinks he's the boat towed off by the pirate's bark, *Menaechmi* 438–42:

MESS. non tu istas meretrices novisti, ere. MEN. s. tace, inquam.
 mihi dolebit, non tibi, si quid ego stulte fecero.
 mulier haec stulta atque inscita est; quantum perspexi modo,
 est hic praeda nobis. MESS. perii, iamne abis? periit probe.
 ducit lembum diirectum navis praedatoria.

MESS. You don't know those prostitutes, master.

MEN. s. Hold your tongue, I tell you. It will hurt me, not you, if I play the fool. This woman is a fool, and a silly one; from what I've just observed, there's booty for us here. [Exit to House]

MESS. I'm doomed, you've gone already? He's good and doomed. The pirate bark is towing our boat to perdition.¹¹²

¹¹¹ For this Plautine identification, see Fraenkel (1960) 231 n. 2.

¹¹² For Messenio's fear of pirates, note also Plaut. *Men.* 1015 where he intervenes crying 'vos scelesti, vos rapaces, vos praedones'.

Menaechmus of Syracuse ignores the sensible advice of his slave and tries his hand at a bit of piracy himself. Later, when mistaken identity induces Erotium's maid to heap on him a number of items to which he has no title, he goes along with this error in the hope of selling his newly acquired property and pocketing the profits.¹¹³ His willingness to participate in the culture of deceit which Messenio associates with the city as a whole finally involves Menaechmus of Syracuse in a chain of further confusions which end with the threat of medical treatment and the insinuation of madness. Unable to rebut the accusation of insanity he only escapes his tormentors by playing along with their beliefs and threatening them with a full-scale bout of proper tragic madness.¹¹⁴ There is no safety in the port.

The Faithlessness of the Sea

The Platonic critique of the port claims that an undue proximity to the sea will render a city faithless and loveless both to itself and to other men.¹¹⁵ This is a striking formulation and one which implies that the very character of the sea itself has leached into the souls of those who live by it. For, if the city by the sea is faithless (*apistos*), it is perhaps so because faithlessness is the defining quality of its briny neighbour. The claim of Pittacus the pre-Socratic that the land is a faithful, the sea a faithless thing (*apiston*) antedates Plato and must inform the language of this passage of the *Laws*.¹¹⁶ In later Greek literature, certainly, it attains the status of a proverb.¹¹⁷ In this section, therefore, it will be important to identify what gives the sea this character and how again this can lead to the polar opposition of sea and land.

Instability is an elemental quality of the sea. We may build boats and allow ourselves to be tossed about by wind and wave but we cannot take our stand unassisted upon the sea. Nor can those occupations which we pursue on the water ever fully escape this fundamental truth. Life on the land is therefore stable where that on the sea is unstable.¹¹⁸

¹¹³ Plaut. *Men.* 524–58.

¹¹⁴ Plaut. *Men.* 704–875.

¹¹⁵ Pl. *Lg.* 705A.

¹¹⁶ Pittacus ap. D-K I. 64: πιστὸν γῆ, ἀπιστὸν θάλασσα.

¹¹⁷ Mantissa, *Proverb.* i. 41 = Corp. Paroem. Graec. ii, p. 750. See also Plaut. *Trin.* 831 and the address to Neptune of Charmides returned from a voyage 'fidus fuisti: infidum esse iterant'; Lucr. 2. 557; Ov. *trist.* 4. 4. 60; Sen. *Med.* 302; Avien. *Arat.* 312. For play on this idea, cf. Verg. *Aen.* 5. 800, 849, 870, cf. Don. at Verg. *Aen.* 5. 849.

¹¹⁸ App. *Pun.* 87, εὐσταθέστερος γάρ, ὦ Καρχηδόνιοι, ὁ ἐν ἡπείρῳ βίος, γεωργίαι καὶ ἡρεμίαι προσπονῶν· καὶ σμικρότερα μὲν ὥσως τὰ κέρδη, βεβαϊότερα δὲ καὶ ἀκινδυνότερα

This notion has great importance for the construction of the agrarian and maritime economies, and is at the heart of Aelian, *Rustic Epistles* 18, in which Laches, the neighbour of the writer, has abandoned his farm in favour of a life sailing the waters of the Aegean:

γεωργίαν καὶ γεωργεῖν ἀπολιπὼν ὁ γείτων Λάχης ἐπέβη νεώς, καὶ πλεί τὸ Αἰγαῖον, φασί, καὶ ἄλλα πελάγη μετρεῖ καὶ ἐπικυματίζει καὶ λάρου βίον ζῆμι καὶ ἀνέμοις μάχεται διαφόροις· ἄκρα τε αὐτὸν ἐξ ἄκρας διαλαμβάνει, καὶ περιβλέπων ἄδρὸν κέρδος καὶ περινοῶν πλοῦτον ἄθροον μικρὰ εἶπε χαίρειν αἰγιδίοις ἐκείνοις καὶ νομευτικῶι τῶι προτέρῳ βίῳ· γλισχρῶς τε καὶ κατ' ὀλίγον ἐκ τῶν ἀγρῶν ἀποζῆν οὐ δυνάμενος οὐδὲ ἀρκούμενος τοῖς παρούσιν Αἰγυπτίους τε καὶ Σύρους φαντάζεται καὶ περιβλέπει τὸ δεῖγμα καὶ πολὺς ἐστι νῆ Δία τόκους ἐπὶ τόκοις λογιζόμενος καὶ χρήματα ἐπὶ χρήμασιν ἀριθμῶν, καὶ διαφλέγει τὴν διάνοιαν αὐτοῦ καὶ ἐκκάει κέρδος ἀμφοτερόπλου, χειμῶνας δὲ οὐκ ἐννοεῖ, οὐδὲ ἐναντία πνεύματα, οὐδὲ τῆς θαλάττης τὸ ἀστάθμητον, οὐδὲ τῶν ὥρῶν τὰς ἀκαιρίας. ἡμεῖς δὲ εἰ καὶ μικρὰ κερδαίνομεν μεγάλα πονοῦντες, ἀλλὰ πολὺ ἢ γῇ τῆς θαλάττης ἐδραιότερον, καὶ ἅτε πιστοτέρα βεβαιωτέρας ἔχει τὰς παρ' ἑαυτῆς ἐλπίδας.

Abandoning farming and the farmer's life, my neighbour Laches has boarded ship and sails the Aegean, they say, and measures other seas and is tossed by the waves and lives the life of a gull and fights with hostile winds. And one cape receives him from another, and fixing his attention on a rich profit and contemplating a pile of wealth he says that he takes little joy in those goat skins and his previous life as a shepherd. Unable to live stintingly and on a small scale from the fields and dissatisfied by what is before him, he dreams of Egyptians and Syrians and fixes his attention on the bazaar and, by Zeus, is taken up with contemplating interest on interest and counting money on money, and the profit of the return journey scorches and burns his mind, and he gives no thought to storms or contrary winds or the instability of the sea or bad weather in good seasons. Though I, on the other hand, labour much for a small profit, still the land is a much more steadfast thing than the sea and being the more reliable furnishes the more secure hopes of itself.

Laches is no longer able to satisfy himself with subsistence. Instead he lives the life of the notoriously greedy gull, dreaming of ever greater profit and wealth.¹¹⁹ Yet all is not well. For all that he gives no thought

καθάπαξ τὰ τῆς γεωργίας τῶν ἐμπόρων; cf. Nikol. ap. Walz ed. *Rhet. Graec.* I. 365. 17–22 τῶι δὲ θάλαττα πρὸς τὴν τέχνην ἀνείται κτῆμα τῶν ὄντων ἀσταθμητότατον· καὶ πρὸς τὸ πνέον βιαζομένη καὶ μεταπίπτουσα· ὅσωι δὲ θαλάττης διέστηκε γῇ, καὶ βίον εὐρεῖν ἢ βίον ἀνελεῖν καθέστηκεν ἄμεινον, τοσούτῳ γεωργία ναυτιλίας κρείττων καθέστηκε; Avien. *Arat.* 307–8, 'salumque | fluctibus instabile'.

¹¹⁹ For the greed of the gull, see Thompson (1936) 193 citing Ar. *Eq.* 956, Nu. 591; Ath. 134E.

to winds and storms and the instability of the sea, these are realities with which he must contend. Though agriculture brings smaller rewards, the land is a far more stable, more faithful element than the sea and the hopes it offers are therefore all the more secure.

The construction of the maritime economy operated by Aelian is not hard to parallel in ancient thought. When, for instance, Aristotle divides merchant activity (*emporía*) into the three categories of ship-owning, transport of goods, and retail trade, the criterion which he employs in order to distinguish the different activities is level of risk involved measured against potential level of return.¹²⁰ If Aristotle does not take the time to explain that shipowning is the riskiest of all, this is because the point is self-evident. This, at least, is the evidence of comedy and of epigram. Stobaeus, for instance, draws the following saw from Menander:

τὰ μεγάλα κέρδη ραιδίως ἢ πλουσίους
τοὺς παραβόλως πλέοντας ἢ νεκροὺς ποιεῖ.

Great rewards easily make those who sail hazardously either rich or dead.¹²¹

An important fragment of Diphilus attests both to the swift and substantial return on an investment to be gained from a successful merchant voyage and to the risk of shipwreck.¹²² In Philemon, meanwhile, sailing and folly are effectively one and the same;¹²³ in Antiphanes a character describes a merchant puffed up with wealth of which, in truth, the true master is the wind.¹²⁴ A sepulchral epigram of Julian Prefect of Egypt, by contrast, blames not the sea or the winds for the death of a merchant but the insatiable love of cargo. Others may seek the stormy profits of the sea, Julian asks only the little which the land can give:

οὔτι σε πόντος ὄλεσσε καὶ οὐ πνείνοντες ἀήται,
ἀλλ' ἀκόρητος ἔρωσ φοιτάδος ἐμπορίας.
εἴη μοι γαίης ὀλίγος βίος· ἐκ δὲ θαλάσσης
ἄλλοισιν μελέτω κέρδος ἀελλομάχον.

¹²⁰ Arist. *Pol.* 1258^b21–5.

¹²¹ Men. fr. 784 K-A = Stob. 4. 17. 14.

¹²² Diph. *ζογ.* fr. 42 K-A = Ath. 291F–292D. At vv. 10–17 the cook describes how he shuns the shipwrecked mariner reluctantly and stingily fulfilling a vow for safe return; vv. 18–26 identify the sailor fresh in from a three-day voyage from Byzantium with a 12.5% profit as the ideal customer. Cf. Plaut. *Stich.* 402–5 where Epignomus claims to have quadrupled his wealth in the three years he has been away.

¹²³ Philem. *Noth.* fr. 51 K-A = D.S. 12. 14. 1–2.

¹²⁴ Antiph. *Mel.* fr. 149 K-A = Stob. 4. 17. 17. See also Antiph. *Eph.* fr. 100 K-A = Stob. 4. 17. 6, fr. 290 K-A = Stob. 4. 17. 15. For more on the comic rejection of sailing, see Alex. *Syn.* fr. 214 K-A = Stob. 4. 17. 2 with Arnott (1996) ad loc.; Posidipp. fr. 23 K-A = Ath. 154F.

It was not the sea that killed you nor the blasts of the wind but the insatiable love of merchant cargo. Give me the small life of the land and let others worry about storm-tossed profits from the sea.¹²⁵

The maritime economy, therefore, is one long gamble.¹²⁶ It can destroy you as swiftly as it makes you rich. Even if the faithless denizens of the port do not rob you, the element which makes them what they are is as likely to do the same. This is crucial. Yet, once again, a second tendency must be identified and one of no less importance: the hazards of the maritime economy emerge through contrast with the security and stability of the land. Economic thought structures itself through polar oppositions and, if evidence for these oppositions is furnished *inter alia* by Greek New Comedy, it is possible that this is because the comic stage is perfectly adapted to represent the clash which a meeting of the two poles is wont to produce.

Rhetorical Economies

Platonic and Aristotelian theories of the economy cast a long shadow. A crucial mechanism for their diffusion—and potential banalization—must be their absorption into the conventional wisdom of Greek and Roman rhetorical training. Those texts which provide our best evidence for this process are indeed relatively late—the fourth-century AD Libanius and the third- or fourth-century AD Menander Rhetor—but the fundamental intellectual conservatism of rhetorical training counts in their favour as evidence for the intellectual worlds of the intervening centuries. It is therefore pertinent to examine the manner in which they construct oppositions between country, *agora*, and port before again relating these notions both to themes in the works of Plautus and to the political world of second-century BC Rome.

To begin with the issue of the relationship between the city and the port, we may turn to Menander Rhetor 348. 19–349. 2 and the following extract from his instructions on how to praise a city:

¹²⁵ Julian Prefect of Egypt, *AP* 7. 586. For other pertinent epigrams, see Crinagoras, *AP* 7. 636; Apollonides, *AP* 7. 642; Flaccus or Phalaecus, *AP* 7. 650; Leonidas of Tarentum, *AP* 7. 652, 7. 654.

¹²⁶ Cf. Colum. 1 pref. 8: ‘an bellum perosis maris et negotiationis alea sit optabilior, ut rupto naturae foedere terrestre animal homo ventorum et maris obiectus irae fluctibus pendeat semperque ritu volucrum longinqui litoris peregrinus ignotum pererret orbem?’

ἐὰν μὲν τοίνυν ἡπειρωτικὴ ἦ καὶ πλείστον ἀπεχῇ (ἀπὸ) τῆς θαλάσσης, τὴν ἀπὸ τῆς ἀποχωρήσεως ἀσφάλειαν ἐγκωμιάσεις, καὶ σοφῶν ἀνδρῶν παραθήσεις γνώμας, αἱ τοὺς κατ' ἡπειρον οἰκισμοὺς ἐπαινοῦσι καὶ τοὺς πλείστον ἀπὸ θαλάττης ἀπέχοντας, καὶ πάντα ἐρεῖς ὅσα ἐν τῷ ἐτέρῳ κακά. ἐὰν δὲ ἡ πόλις θαλαττία ἦ ἢ νῆσος, τὰς τε ἡπείρους ἐρεῖς κακῶς καὶ τοὺς ἡπειρωτικούς οἰκισμοὺς, καὶ ὅσα ἀγαθὰ ἀπὸ θαλάσσης ἀριθμήσῃ. ἰδίως δὲ καὶ περιεργάσῃ τὴν ἐκάστης νήσου ἢ τὴν ἐκάστης πόλεως θέσιν. τὸ γὰρ τοιοῦτον μέρος ἀδύνατον περιστοιχίζεσθαι διὰ τὸ ἅπειρον. ἐὰν δὲ παραθαλάττιος ἦ καὶ ἐπ' αἰγιαλοῖς, ὅτι ἀμφοτέρω ὑπάρχει τὰ ἀγαθὰ. ἐὰν δὲ ὀλίγον ἀπέχῃ ἀπὸ τοῦ αἰγιαλοῦ, ὅτι τὰ μὲν ἐκατέρωθεν ἐκπέφυγε λυπηρά, τὰ δ' ἀμφοτέρων ἀγαθὰ ἀνείληφεν.

If the city is continental and very remote from the sea, you will praise the security afforded by its remoteness and adduce those opinions of wise men which commend continental settlements and those most distant from the sea. You will also enumerate the evils of the contrary situation. If on the other hand the city is by the sea, or is an island, you will speak ill of continental areas and continental settlements, and enumerate all the good things that come from the sea. You will elaborate specially the position of each individual island or city; it is impossible to compass the whole of this topic because of its infinite variety. If the city is near the sea or in a coastal area, 'it possesses both sets of advantages'. If it is set back a little from the coast, 'it has escaped the disadvantages of both situations, and acquired the advantages of both'.

Menander Rhetor and his readers are professional opportunists. Many of the cities which they find themselves invited to praise are unlikely to meet the Platonic criteria for ethical purity and rather tend to lie dangerously near the sea. Yet the advice to reiterate the opinions of wise men when praising an inland city clearly refers to the Platonic and Aristotelian treatment of the topic and suggests that they retain a certain currency in Menander's intellectual world.¹²⁷ Moreover, an intriguing example of the practical application of this advice is available in the form of Libanius, *Oration* 11, an encomium of the rhetor's home city of Antioch. For, at *Oration* 11. 34–41, Libanius moves on from the celebration of the city's climate to praise the position of Antioch in particular relative to the sea. The introduction to the topic at 11. 34–5 is intriguing:

οὕτω δὲ τῶν ὥρων λαχόντες οὕτως πρὸς θάλασσαν ἔχομεν, ὥς εἰ μὴ συνέβαινεν ἔχειν, ἐλάττωμα ἂν ἐθέμην. οὔτε γὰρ ἡμερῶν ὁδὸν θαλάττης ἀπέχομεν οὔτε ἐπ' αὐτοῖς αἰγιαλοῖς ἰδρύμεθα. τούτοις δὲ ἐκάτερον ὅποσον πόλει βλάβος, ἐν βραχεὶ δηλώσω. μᾶλλον δὲ τὸ μὲν ὅλως ἀπεστερηθῆναι θαλάσσης ὥς βλαβερόν,

¹²⁷ This is noted by Russell and Wilson (1981) ad loc.

ἅπανσι δῆλον, καί τις ἂν ἑτερόφθαλμον τὴν ὥδε ἔχουσαν προσειπὼν οὐκ ἂν ἁμάρτοι, τὸ δὲ τοῦ μὴ κείσθαι ἐπ' αὐτῇ κέρδος τὴν ἀπόδειξιν ἀπαιτεῖ.

And being allotted a climate of this sort, we have such a relationship to the sea that I would have considered it a defect had we not turned out to have it. For we do not have to travel for days to reach the sea, nor are we settled directly on the shore. And I shall briefly show how great a harm comes to a city from either of these conditions. It is indeed clear to all that to be entirely deprived of access to the sea is harmful, and someone calling a city in this situation one-eyed would not be in error. That it is an advantage not to lie by the sea does, however, require demonstration.

Here, it is noteworthy that the disadvantages of a position directly on the sea are assumed to be less obvious to Libanius' audience than those of the 'one-eyed' city entirely deprived of access thereto. It is therefore the more difficult contention which Libanius sets out to prove. At 11. 36–7 this is done in purely physical terms, the rhetor evoking the dangers of flooding and contrasting the joys of watching and hearing sailors sail in the harbour on a mild day with the pain of watching and hearing a shipwreck when the weather is bad. It is only with 11. 38–9 that Libanius evokes the moral defilement which proximity to the sea can bring:

τὸ δὲ μέγιστον εἰς ζημίαν, πόλιν γὰρ ἐπιθαλαττίδιον ναυτικῆς ἀπειροκαλίας ἀνάγκη γέμειν θορύβων τε ἀνελευθέρων καὶ φωνῶν βωμολόχων καὶ τῶν ἄλλων ἃ λυμαίνεσθαι καὶ διαφθεῖρειν ἤθη πόλεων ἰσχύει· τοὺς μὲν γὰρ ἔξωθεν καταπλέοντας δέξεται, τοὺς δὲ αὐτῇ πλέοντας παρέξεται. ἔπειτα ἡ τοῦ μέρους κακία διὰ παντὸς ἦλθε τοῦ πληρώματος. ἀλλ' ἡμῖν γε ἡ θέσις τῶν ἀπὸ τῆς θαλάττης ἀγαθῶν ἀπολαύειν παρέχουσα τῶν ἐκείθεν κακῶν καθαρεύειν δίδωσι, καὶ μετὰ μὲν τῶν ἐν μεσογείαι τῆς λύμης ἔξω καθέσταμεν, μετὰ δὲ τῶν ἐπὶ θαλάττῃ καρπούμεθα τὴν θάλατταν.

But what is the worst consequence of all is that a maritime city is bound to groan with the vulgarity of sailors, with ungentlemanly din and buffoonish voices and all the other things which are able to defile and destroy the morals of cities. For it will receive men sailing in from outside and it itself will furnish sailors. Then the vice of the group tends to pass through the entire crew. But our position allows us to enjoy the good things from the sea while keeping us pure from the evils which come from there, and, along with those who live right inland, we avoid defilement, and with those on the sea we reap the benefits of the sea.

The assumption in this passage, that a maritime position and the presence of a mass of seafaring men both native and foreign is harmful

to the morals of the state, is thoroughly Platonic. Antioch's location, however, provides both access to the good things brought in by the sea and the freedom from defilement enjoyed by those inland. This point is then repeated in the concluding 11. 40–1 and a patently Platonic calculation introduced:

καὶ διαφέρομεν τῶν μὲν τῇ τῶν ἐπιτηδείων ἀφθονίαι, τῶν δὲ τῇ σωφροσύνῃ τῶν τρόπων καὶ τὰ δοκοῦντα παρ' ἀμφοῖν εὐδοκιμεῖν ἔχοντες ἀφ' ὧν ἀμφοτέροι ψέγονται διαφεύγομεν. ὥστε ἐκεῖνοι μὲν ἀλλήλων τὰ μὲν πλεονεκτοῦσι, τὰ δὲ ἡττώνται, ἡμεῖς δὲ μεθ' ἑκατέρων νικῶντες μετ' οὐδετέρων ἡττώμεθα. τοσοῦτον γὰρ διέχομεν λιμένων, ὅσον ἡμᾶς καθαρὸς τε τηρεῖ θαλαττίων κακῶν καὶ μετόχους ποιεῖ τῶν ἐκ θαλάττης καλῶν. στάδιοι γὰρ τὸ μέσον εἴκοσι καὶ ἑκατόν, ὥστε ἀνὴρ εὐζωνος ἅμα ἡλίῳ κινήθεις ἐνθένδε κομιεῖ τι τῶν ἐκεῖθεν ἔτι μεσημβρίας ἐσώσης.

And we differ from the former group through the plenty of supplies and from the latter through the wisdom of our ways, and, possessing those things which seem of good repute on either side, we escape those things for which each is chided. The result is that they defeat each other in some areas and are defeated in others, while we share the victory of both and the defeat of neither. For we are far enough away from the port as to be kept pure of the ills of the sea and yet to share the fair things of the sea. For 120 stades lie in between, so that a fit man rising at dawn will bring back something he requires from there while it is still noon.

Athens, it will be recalled, is 40 stades from the Piraeus; the Cretan city of the *Laws* still a little too close at 80; but Antioch's 120 is surely guaranteed to protect it from any Platonic censure at all.

The perpetuation of the Platonic critique of the port is striking in itself. Yet there is a further body of texts which offers an even more important set of evidence. It will be recalled that one of the most significant results of the analysis of the Aristotelian concept of the justice of agriculture was the identification of a tendency to think by opposition, and to contrast the approved economic model of domestic or subsistence agriculture with the morally compromised model of exchange. It was further noted that the exchange-based economy took in a number of categories and that the *agora* and the port did not so much play host to competing economic practices as to two subsets of one basic economy. What I wish now to suggest is that this theoretical account of economic practice is in turn absorbed into the conventional wisdom of the rhetoricians and the tendency to think by opposition strengthened by the characteristically synkritic mode of rhetorical exposition. This claim may be illustrated by reference to the *Comparison of Farming and*

Sailing of Libanius,¹²⁸ the work by the same name of Nikolaos the Sophist,¹²⁹ the *Comparison of City and Country*,¹³⁰ and the *Praise of Farming* of Libanius.¹³¹ Closer examination of these texts will also reveal a number of typical claims about country, city, and port which can be paralleled in the authors previously discussed and which are of importance for Roman versions of the topic.

I begin with the issue of justice. In the *Comparison of Farming and Sailing*, Libanius draws a clear distinction between the justice of agriculture and the injustice of sailing:

ἐτι τοίνυν δικαιοσύνη μὲν κάλλιστον, ἀδικία δὲ κάκιστον. ποιεῖ δὲ γεωργία μὲν δικαίους, ναυτιλία δὲ ἀδίκους. ὁ μὲν γὰρ γεωργὸς σπείρας καὶ εὐξάμενος τοῖς θεοῖς ἀναμένει τοὺς καρποὺς καὶ δέχεται τὰς ἀμοιβὰς παρὰ τῆς γῆς λυπήσας οὐδένα οὐδέν. τοῖς δὲ γε ἐμπόροις ἐν ταῖς ἐπιιορκίαις τὰ ὄντα αὔξεται καὶ ἡ τέχνη πρὸς τὸ πλουτεῖν τὸ καταφρονεῖν τῶν θεῶν, καὶ ἐπὶ πᾶσαν πόλιν πλέουσι τοῦτο τὸ κακὸν ἐργαζόμενοι, ψευδόμενοι, παράγοντες, παρακρουόμενοι. καὶ ὅστις ἄριστα οἶδε τοῦτο ποιεῖν, οὗτος εὐπορώτατος ἄπεισι.

Moreover, justice is the most beautiful thing and injustice the worst. And farming makes men just, while sailing makes them unjust. For the farmer sows his seed, prays to the gods, waits for the crop and receives his return from the earth without having done any harm to anyone. But the wealth of merchants is increased by oath-breaking and the skill they apply in order to grow rich is to scorn the gods, and they sail to every city committing this crime, lying, misleading, and cheating. And whoever best knows how to do this finishes the richest.¹³²

To Libanius agriculture makes men just because it frees them from interaction with other men; they merely sow their seed, pray to the gods, and do no harm to any man. Sailors, by contrast, travel from one city to another, telling lies and cheating, and the man who knows how to do this best is the one to maximize his profits. The Aristotelian association of the profit motive with lying is evident here and coheres with other passages in the same address which represent sailing as the product of the acquisitive impulse of *pleonexia* and represent agriculture as the necessary response to man's requirement of the basics of subsistence.¹³³ Likewise Nikolaos, who opens with an assertion of the

¹²⁸ Lib. 8. 349. 17–353. 15F.

¹²⁹ Walz, ed. *Rhet. Graec.* vol. 1. 365. 8–366. 16.

¹³⁰ Lib. 8. 353. 16–360. 15F.

¹³¹ Lib. 8. 261. 14–267. 14F.

¹³² Lib. 8. 351. 9–19F.

¹³³ Lib. 8. 350. 5–11F.: παλαιότατον μὲν δὴ πρᾶγμα γεωργία καὶ ἅμα τοῖς ἀνθρώποις εἰς τὸν βίον συνεισελθόν. ἔδει γὰρ εὐθὺς μὲν γενομένους δεῖσθαι τῶν ἀπὸ γῆς τροφῶν, δεηθέντας δὲ τὴν γῆν ἐπιχειρεῖν ἐργάζεσθαι. ναυτιλίαν δὲ καὶ τὸ πλεῖν εἰσήγαγεν εἰς τὸν βίον ἡ πλεονεξία. τὸ γὰρ δὴ πλεῖν αὐτοὺς ἔρως τοῦ πλείονος ἡνάγκαζε καὶ τοῦ τολμᾶν.

wickedness of sailing and the aim to make it seem all the more wicked by comparison with agriculture, then contrasts the justice and piety of agriculture with the impious and perjurious ways of sailors, and puts the evils of sailing down to the pernicious influence of *epimixia*:

τὴν ναυτιλίαν πονηρὰν εὐρὼν τῇ παραθέσει τῆς γεωργίας πονηροτέραν ἐργάσομαι . . . καὶ γεωργία μὲν ποιεῖ τοὺς χρωμένους δικαίους, ναυτιλία δὲ πονηροὺς δι' ἐπιμξίας ἐργάζεται. θεοῖς μὲν γὰρ τὰ γῆς οἱ γεωργοῦντες ἀπάρχονται, κατεπιорκεῖν δὲ θεῶν ἐκ τῆς θαλάττης μαυθάνουσιν ἄνθρωποι, καὶ καλοῦσι μὲν θεοὺς κινδυνεύοντες, ὑπερωρῶσι δὲ τῶν κρειττόνων σωζόμενοι· γεωργοῦντες δὲ τιμῶσι θεοὺς ἐξ ὧν πεποιήκασι, καὶ τετιμηκότες ἐπισπῶνται τὴν εὐνοίαν. ὅσωι δὴ τὸ σέβειν θεοὺς τοῦ περιορᾶν θαυμαστότερον, τοσοῦτοι τὸ γεωργεῖν τοῦ πλεῖν ἐστὶν αἰρετώτερον.

Finding sailing to be wicked, I shall demonstrate it to be the more wicked by comparison with farming . . . And farming makes those who practise it just, while sailing makes men wicked through promiscuity. For those who work the land give first fruits to the gods, while men learn from the sea to violate the gods by taking false oaths, and they call on the gods when they are in danger, but scorn their superiors when secure. And farmers honour the gods with offerings of those things which they have made, and having paid them honour gain contentment. The more admirable it is to revere the gods than to scorn them, the more desirable farming is than sailing.¹³⁴

So much for sailing. As for the city, this too is the subject of comparisons with the country and with agriculture, and even when the rhetorical exercise is an encomium and not explicitly synkritic in form. Where treatment of the theme of justice differs, however, is in the emphasis on unjust urban ways which are less exclusively economic in character. In the *Comparison of City and Country*, for instance, Libanius claims that more injustice is to be found in the city than the country, though here the constant toil of the farmer is contrasted with the townsman's malicious prosecutions, false witness, and corruption of the jury.¹³⁵ This emphasis on the judicial aspect of the city is also apparent in the *Praise of Farming*; agriculture detains men from the strife of the *agora* and the courtroom and makes them good.¹³⁶ In this case, however, the urban economy also comes under fire.¹³⁷

In all these works, therefore, agriculture lies at one pole in the opposition and either the city-life and sailing, or occasionally both, at the other. Thus the *Praise of Farming* will at one point contrast a specific

¹³⁴ Walz, ed. *Rhet. Graec.* 1. 365. 9–10 and 365. 22–366. 2.

¹³⁵ Lib. 8. 354. 9–355. 3F.

¹³⁶ Lib. 8. 262. 15–263. 12F.

¹³⁷ Lib. 8. 263. 2–4F.

virtue of agriculture with a counterbalancing vice of seafaring,¹³⁸ while at another point that which is fair in agriculture will best emerge by contrast with that which is foul (or, at least, less fair) in the city.¹³⁹ Where the polar opposite is sailing, parallels can quickly be established with one or both of the texts comparing sailing and agriculture;¹⁴⁰ where it is the city, parallels will be found in the *Comparison of City and Country*. In other cases still, a virtue of the countryside finds a balancing vice common to both city and port. Thus, farmers are sexually continent, true to their wives, and interested in sex only for the purposes of reproduction where both townsmen and sailors are promiscuous;¹⁴¹ farmers are made brave and vigorous where townsmen and sailors are sickly and weak.¹⁴²

Difference and Affinity

The aim of the foregoing sections of this chapter has been to give an account of the ways in which Greek thought conceptualizes the opposition between port, town, and country and, more significantly, between agrarian and mercantile economies. The potential pertinence of these issues for New Comedy has been argued on the strength of the basic scenic conventions of the genre, and individual instances have been discussed in which a particular way of thinking can be seen to be an active element in a comic text. It is now high time, however, to acknowledge potential methodological difficulties attendant on this approach and to give a more precise account of the extent to which the polarities and prejudices which I have identified may be said to inform the mode as a whole.

A fundamental theme in my analysis has been the assertion in a variety of writers of the justice of agriculture. Particular attention was therefore paid to the Aristotelian account of this concept, strong traces

¹³⁸ Lib. 8. 267. 5–12F.

¹³⁹ Lib. 8. 265. 17–266. 15, 359. 4–360. 5F twice represents the theatre as the characteristic entertainment of the city, but finds superior, natural pleasures in the country. For this, cf. Colum. 1 pref. 6, 15.

¹⁴⁰ Lib. 8. 349. 19–20 and 352. 17–353. 10F and Walz, ed. *Rhet. Graec.* 1. 365. 15–22 both stress the risks of sailing.

¹⁴¹ Lib. 8. 263. 13–18, 355. 3–18F; Walz, ed. *Rhet. Graec.* 1. 366. 8–11.

¹⁴² Lib. 8. 264. 12–265. 3, 352. 1–10, 357. 10–358. 5F assert the superior health of countrymen. For bravery, see Lib. 8. 356. 16–357. 9F, cf. ps-Arist. *Oec.* 1343^b2–7. See also Colum. 1 pref. 16–17 where the greater health and vigour of countrymen made them the backbone of the early Roman army.

of which were then found in a fragment of the New Comic author Philemon. Nor is this the only occasion on which the language of Peripatetic ethics has been found in Philemon or in the Latin adaptations of his work.¹⁴³ It would, however, be illogical to conclude on the strength of the deployment of recognizably Aristotelian views by individual characters in Philemon, that the work of the poet as a whole sustained an Aristotelian interpretation of the world. For the specific fragment at issue is quoted by Stobaeus as part of a collection of statements in praise of agriculture, and it is the way of the *Florilegium* to enhance the gnomic value of an utterance by freeing it from the encumbrances of dramatic context or personal motivation. Stobaeus makes a proverb and a wise saw out of what might be subjected to sincere contestation or exposed as bigoted nonsense in the course of a complete play.

A comparable tension between the universal and the specific must also be confronted with regard to the polarizing and synkritic tendencies of the philosophical and rhetorical texts examined. Here again patterns of opposition may be constructed which can be shown to be active elements in the crises of New Comedy, but the obsessive separation out of economies into ethically charged polarities is alien to the form. In the *Samia*, Demeas and Nikeratos are just back from a merchant expedition to the Black Sea.¹⁴⁴ To infer from this that they are inherently wicked or faithless individuals would, however, be wholly false. It is suggested that some psychological disturbance may derive from exposure to the waves but this is all.¹⁴⁵ In Plautus, likewise, highly successful merchant enterprise is a feature of a number of dramas—*Bacchises*, *Mercator*, *Mostellaria*, *Stichus*, *Trinummus*—and the spectacular rewards of such activities can be conjured up by drooling lists of all that has been seen being brought up from the port.¹⁴⁶ There is no implication that those engaging in such activities are the less respectable for it and, indeed, in both the *Mostellaria* and the *Trinummus* the wealth-gaining activities of the fathers Philolaches and Charmides compare favourably with the dissipation of their sons while they were away.¹⁴⁷

¹⁴³ See Grimal (1969b) and esp. Fantham (1977).

¹⁴⁴ Men. *Sam.* 96–111.

¹⁴⁵ Men. *Sam.* 416–17.

¹⁴⁶ See esp. Plaut. *Stich.* 374–89. Such passages may be seen as the New Comic equivalent of the propensity of Old Comedy in passages such as Hermipp. fr. 63 K-A = Ath. 27E–28A to celebrate the port by extensive lists of the products which it brings to Athens. For this theme and its strongly democratic character, see Wilkins (2000) 156–64.

¹⁴⁷ See esp. Plaut. *Trin.* 108–9, 838–9, 1087–90, 1181–2; *Most.* 956–87. See also Plaut. *Bacch.* 457–9 where Lydus praises Mnesilochus for obeying his father's orders and taking to sea in order to advance the family's fortunes, but note that Lydus would be less enthusiastic if he knew all that had gone on on the voyage.

Yet the notion should be resisted that the interaction of comedy with the patterns of thought described is purely occasional and owes nothing to the deep structures of the form. Take, for instance, the exit to the countryside. In a number of plays—for instance, the *Amphitryon*, *Curculio*, or the *Epidicus*—the relationship between city and country never emerges as a theme, and no character leaves for or enters from the countryside. Yet, in those plays which feature the countryside, what that location is able to represent is strictly delimited. Thus, no character in a play with an urban setting ever leaves the stage in the direction of the countryside in search of dissipation or the means of dissipation: provisions, flute-girls, a cook.¹⁴⁸ By contrast, for youths such as Strabax in the *Truculentus* or Ctesipho in the *Adelphoe*, the journey from the country to the city represents the opportunity to shake off paternal repression and imitate the pleasure-loving ways of its denizens.¹⁴⁹

The distribution of characters entering from or departing to the countryside is also defined by profession. The pimp is frequently identified as an outsider in whichever community he inhabits, does business in the forum, and makes regular business journeys around the Mediterranean.¹⁵⁰ Similarly, the boastful soldier habitually enters the stage from abroad and lives from one peregrination to another in the mercenary service of whichever king can pay his hire.¹⁵¹ He

¹⁴⁸ A partial exception may be presented by Plaut. *Cas.* 52–4 where the father's aim in arranging for Casina to marry his bailiff is to facilitate illicit liaisons on the rural estate, but note also 484–5, making it clear that the liaison will actually take place next door in the house of Alcesimus and Myrrhina. See also Titin. *com.* 43–4 = Non. p. 653 L, where an authority figure takes action to prevent a wayward husband or son from putting the rural estate to illicit use: 'si rus cum scorto constituit ire, clavis ilico | abstrudi iubeo, rusticae togae ne sit copia.' For the departure for the country associated with the refusal of pleasure, see Ter. *Haut.* 71, 138–9, 149–50.

¹⁴⁹ See esp. Plaut. *Truc.* 658–61, 'nunc ego istos mundulos urbanos amasios | hoc ictu exponam atque omnis eciam foras. | eradicarest certum cumprimis patrem, | post id locorum matrem.' Note also Plaut. *Truc.* 250–3, 269, 276–80 where the hostility of *Truculentus* to the courtesans is closely bound up with his militant rusticity. For the son repressed by the father by relegation to the countryside, see also Alcesimarchus at Plaut. *Cist.* 225–9.

¹⁵⁰ Arnold (1998) 63–73 has a good discussion of the pimp as outsider, citing Plaut. *Poen.* 93–5, *Persa* 131, 137–8; Turp. *com.* 133–5 = Non. p. 639 L. For the business journeys of the pimp, see Plaut. *Rud.* 47–71; Ter. *Ad.* 224–31.

¹⁵¹ The Plautine soldier is frequently equipped with a geographical epithet marking him as an outsider: Plaut. *Epid.* 153 'Euboicus miles', 300 'miles Rhodius', *Pseud.* 51 'militi Macedonio', *Truc.* 202 'Babyloniensis miles'. In other cases, he is marked as a 'peregrinus': Plaut. *Bacch.* 1009, *Truc.* 955–6, cf. *Poen.* 175, 560, 600, 650–2, 656, 662–5, 770, 802–4, where the disguised Collybiscus is most easily passed off as a 'peregrinus' in Calydon by claiming that he is a mercenary fresh from service under King Attalus in Sparta whom the 'advocati' have just met as he left the port. See also Ter. *Hec.* 85–7 for the two years spent by Philotis in Corinth with her brutish soldier.

never fights in the defence of his own community and indeed resort to mercenary service can be contemplated by young men so ruined that they can no longer remain in the land where they grew up.¹⁵² Neither the pimp nor the soldier ever leaves the stage in the direction of the countryside or enters therefrom. In this way rural land tenure emerges as a mark of rootedness and of belonging.¹⁵³

The *Eunuchus* of Terence may serve to exemplify the function of these unwritten rules governing the appropriate spheres in which a character may operate in shaping the conflict at the heart of the drama. On stage stands the house belonging to an unnamed *senex* currently away at his residence in the country,¹⁵⁴ and inhabited by his amorous son Phaedria, and the latter's younger brother Chaerea, who is away on military service in the Piraeus.¹⁵⁵ Next to their house is that of the courtesan Thais. She is the daughter of a Samian woman who moved to Rhodes, laments her isolation in Athens, and seeks to establish some structure of *amicitia* by which to sustain herself.¹⁵⁶ The drama will turn, however, on the fate of the young Pamphila, who was stolen from Sunium by pirates,¹⁵⁷ bought by a merchant, given to the

¹⁵² Plaut. *Most.* 596–9, *Trin.* 591–601, 698–704, 714, 718–28.

¹⁵³ Cf. Finley (1974) 49–50 who stresses the tendency of ancient states to restrict the ownership of land to the citizen body and the consequent limitation of the metic to other forms of investment. This pattern is visible at Plaut. *Truc.* 955 where the rustic Strabax distinguishes himself from his rival Stratophanes with the words 'tu peregrinu's, hic (ego) habito: non cum zona ego ambulo'. See also Diph. *Apolip.* fr. 17. 1–3 K-A = Ath. 132C–E where the cook asks whether the guests are all Athenians or also some from the market (καὶ τοῦμπορίου τινες). For Rome, see Crawford (1992) 29 who notes the restriction of legionary service to the 'assidui' or landholders which held at least in principle until 107 BC. For land as a stable source of wealth guaranteeing the ability to feed oneself and fulfil citizen obligations, see Plaut. *Trin.* 508–10, 512–16, 560–1, 591–4, 652–4, 686–7, 698–703 and the excellent discussion in Gabba (1988) 79–80. For losing the family land as the final stage in a spendthrift's career, see Aeschin. 1. 97–9, cf. Plu. *Cat. Ma.* 8. 7.

¹⁵⁴ Ter. *Eun.* 971–2. For the convention that citizen families resident in the town also own land in the country, see above p. 101 n. 22 and Barsby (1999) at Ter. *Eun.* 187.

¹⁵⁵ Ter. *Eun.* 289–91, 539–41. The appalled question of the father at 987 'an in astu venit?' implies that the barracks, though located in the Piraeus, are a place of moral control over his son. This corresponds to the notion that youthful roistering begins when a young man leaves the *ephebeia*. For this, see below n. 174.

¹⁵⁶ Ter. *Eun.* 107, 147–9, 868–71. For Samian women as migrants and courtesans, see Don. at Ter. *Eun.* 107, cf. Diph. *Thes.* fr. 49 K-A = Ath. 451 B–C. For a *hetaira* specifically marked as of citizen class but still deprived of kin to support her, see Antiph. *Hydr.* fr. 210. 4 K-A = Ath. 572A (ἀστῆς, ἐρήμου δ' ἐπιτρόπου καὶ συγγενῶν).

¹⁵⁷ Don. at Ter. *Eun.* 115 refers to an 'emporium' at Sunium, probably on the basis of Ter. *Phorm.* 837–8, 893. This relates intriguingly to Chremes' report at Ter. *Eun.* 519 of the questions put to him by Thais: 'rus Sunii equod habeam et quam longe a mari'. Sunium thus figures as the locus of belonging in Attica for Pamphila but also, inasmuch as it is a promon-

mother of Thais on Rhodes, then sold on at the death of the mother by a covetous uncle, and bought by Thraso, the soldier lover of Thais.¹⁵⁸ Should Thais succeed in inducing Thraso to make her a present of Pamphila, then the girl can be reunited with her original family in the form of the rustic Chremes,¹⁵⁹ and the good deed of Thais will gain her the *amicitia* that she seeks.¹⁶⁰ Should she fail, Pamphila faces another departure with Thraso and a new stage in the cycle of perpetual displacement which has been her lot.¹⁶¹ And, inadvertently foiled though this scheme is by the rapist Chaerea, the close of the drama will bring to Pamphila both recognition, reunion with Chremes, and citizen marriage to a family no less rooted in the Attic countryside than her own. Thais in turn achieves the *clientela* which grants her security in Athens.¹⁶²

At the heart of the *Eunuchus*, therefore, is a competition for the person of Pamphila between figures of stability and instability, rootedness and rootlessness. From their respective locations at the start of the drama, it may be inferred that the family of Phaedria straddle and are at home in the worlds of city, port, and country. This cannot be said to be the case for Thraso or Chremes. Though the city is the locus of their encounter, each gravitates towards a sphere in which the other is a stranger and which he will not enter.

The figuration of the countryside as the home of the stable and the rooted, and the final vindication of stability over instability and of the agricultural over the mercenary, points to a deep-level affinity between New Comedy and Hellenistic economic and ethical discourse. In the play on which I propose to concentrate in the final sections of this chapter—the *Mercator* of Plautus—the same profound affinities are evident.

tory and perhaps also a centre of merchant exchange and, by extension, piracy, as a place precariously close to the dislocations associated with the sea.

¹⁵⁸ Ter. *Eun.* 108–17, 130–6.

¹⁵⁹ Don. at Ter. *Eun.* 507 comments of Chremes that ‘haec persona apud Menandrum adulescentis rustici est’. For suspicion of Thais’ plans as the dominant characteristic of Chremes, see Barsby (1999) 178–9. Note therefore that Thphr. *Char.* 4. 6 lists suspicion of friends and kin, and a counterbalancing readiness to consult slaves (τοῖς μὲν φίλοις καὶ οἰκείοις ἀπιστεῖν, πρὸς δὲ τοὺς αὐτοῦ οἰκέτας ἀνακουνοῦσθαι περὶ τῶν μεγίστων) among the characteristics of the rustic.

¹⁶⁰ Ter. *Eun.* 137–49.

¹⁶¹ Cf. Plaut. *Mil.* 104–13, 121–8 where Pyrgopolynices has moved the reluctant Philocomasium from Athens to Ephesus. At Plaut. *Bacch.* 42–6, 94, 103–6, 221–3, 574, 591, it emerges that Bacchis has only recently been moved from Samos to Athens by Cleomachus and faces an imminent onward journey to Elatia.

¹⁶² Ter. *Eun.* 1031–40. For the *meretrix* as client, cf. Plaut. *Mil.* 789.

Now, however, this is combined not just with direct linguistic echoes of the Hellenistic opposition of sailing and agriculture, but more specifically with the terms of contemporary cultural debate at Rome.

Plautus and the Perils of *Mercatura*

The following intriguing claim for the artistic career of Plautus is preserved in the *Attic Nights* of Aulus Gellius:

sed enim *Saturionem* et *Addictum* et tertiam quandam, cuius nunc mihi nomen non subpetit, in pistrino eum scripsisse Varro et plerique alii memoriae tradiderunt, cum pecunia omni, quam in operis artificum scaenicorum pepererat, in mercatibus perdita inops Romam redisset et ob quaerendum victum ad circumagendas molas, quae ‘trusatiles’ appellantur, operam pistori locasset.

But Varro and many others have recorded that he wrote the *Saturio* and the *Addictus* and some third play, the name of which I do not now have to hand, in a bakery when, having lost in merchant enterprise all the money which he had gained through theatrical work, he returned to Rome and, in order to earn a living, had hired out his labour to a baker to drive around the stones which are called ‘trusatiles’.¹⁶³

This picturesque tale of the bankrupt Plautus driven to work in a bakery may be compared with a similar account in Suetonius’ *Lives of the Poets*, where Plautus is forced to take up the same occupation ‘on account of problems in the grain supply’ (*propter annonae difficultatem*).¹⁶⁴ On the assumption that both statements abbreviate the same Varroian account, it may be hypothesized that Plautus was claimed to have gambled his savings in the high-risk importation of grain to Rome only to suffer a collapse in supply and face financial catastrophe as a result. The poet thus emerges as a painful example of the hazards outlined in the account of the faithlessness of the sea.¹⁶⁵ Nor need it concern us that this is almost certainly a fiction.¹⁶⁶ For, if, as so often, a claim retailed in an ancient life of the poet is actually an extrapolation from themes found in the poet’s own work, there is no need to look beyond the title *Addictus* or *Enslaved for Debt* which Gellius gives for one of the works

¹⁶³ Gell. 3. 3. 14.

¹⁶⁴ Suet. *vita Plaut.* fr. 1 Rostagni = Hier. *chron.* ad Ol. 145. 1.

¹⁶⁵ See above, pp. 123–6.

¹⁶⁶ See Leo (1912) 69–78. For further treatments of this problem, see Gruen (1990) 126 n. 8. A recent unconvincing attempt to rehabilitate the evidence of Varro and Suetonius is that of Pansieri (1997) 95–146, esp. 96–102.

composed by Plautus in the bakery. Thus, if Plautus was not himself driven to the bakery by a catastrophic investment in the grain trade, it seems highly likely that a character in a play attributed to him was.¹⁶⁷ The instability of the merchant's life emerges as an eminently Plautine theme.¹⁶⁸

Yet the drama which engages most richly with the issues addressed in this chapter is, as suggested above, the *Mercator* of Plautus. In the prologue, Plautus acknowledges his debt to the *Emporos* of Philemon.¹⁶⁹ The original, therefore, is one of the masterpieces of Attic New Comedy, but the *Mercator* only gains by translation to its new cultural context.¹⁷⁰ Through the interaction of figures from city, land, and sea which it presents, and its portrayal of the growing pains of a family moving from rustic poverty to riches born of trade in the course of one generation, it achieves a peculiar eloquence in the Rome of the second century.

The *Mercator* turns on the competition between the young Charinus and his father Demipho for the possession of the lovely Pasicompsa. The plot therefore bears considerable similarities to that of the *Casina*, where the son, though kept abroad by action of his father and the poet, is still represented as having much better claim to the slave-girl whom his libidinous father pursues.¹⁷¹ The difference lies in the care with which the prologue of the *Mercator* explains the presence of Pasicompsa in Athens in terms of the family's changing economic circumstances and the conflict between the generations which this provokes. Speaking the prologue, Charinus informs the audience that two years previously his father had sent him away on a trading mission to Rhodes. There he met and fell wildly in love with Pasicompsa.¹⁷² Yet why did

¹⁶⁷ Cf. Leo (1912) 73.

¹⁶⁸ At Plaut. *Trin.* 330–2, when Philto learns that Lesbonicus has lost his money, one of the first means so to do which he contemplates is maritime trade: 'qui eam perdidit? | publicisne adfinis fuit an maritumis negotiis? | mercaturam, an venales habuit ubi eam perdidit?' Charimides' statement at Plaut. *Trin.* 828–9 that Neptune is famous for damning the rich must also refer to the perils of merchant voyages. It is unclear on what sort of voyage Nicodemus was engaged when he suffered the shipwreck referred to at Plaut. *Vid.* fr. 1 and 72.

¹⁶⁹ Plaut. *Merc.* 9–10.

¹⁷⁰ For analytical criticism of the *Mercator* and an attempt to sketch out the original structure of the *Emporos*, see Lefèvre (1995) 7–59. The credibility of Lefèvre's argument must turn on pp. 18–21. The comparison with the Plautine reworking of a Diphilan recognition plot in the *Casina* is attractive, but the basic assumption that a Greek New Comedy cannot close with the two lovers off-stage and no prospect of their union being other than temporary is surely bogus. The fact that precisely the same thing happens in the *Pseudolus* may be put down to Plautine adaptation, but what of Ctesipho and his beloved in the *Adelphoe*?

¹⁷¹ Plaut. *Cas.* 47–66, 1012–14.

¹⁷² Plaut. *Merc.* 11–13.

he ever undertake the journey? At *Mercator* 40–92, Charinus offers the following lengthy explanation:

CHAR. principio ⟨ut ex⟩ ephebis aetate exii
 atque animus studio amotus puerilist meus,
 amare valide coepi hinc meretricem: ilico
 res exulatum ad illam clam abibat patris.
 leno importunus, dominus eius mulieris,
 vi summa ut quicque poterat rapiebat domum.
 obiurgare pater haec noctes et dies,
 perfidiam, iniustitiam lenonum expromere;
 lacerari valide suam rem, illius augerier.
 summo haec clamore; interdum mussans conloqui:
abnuere, negitare adeo me natum suum.
 conclamitare tota urbe et praedicere,
 omnes tenerent mutuitali credere.
 amorem multos inlexe in dispendium:
 intemperantem, non modestum, iniurium
 trahere, exhaustire me quod quirem ab se domo;
ratione pessuma a me ea quae ipsus optuma
omnis labores invenisset perferens,
in amoribus diffunditari ac didier.
 convicium tot me annos iam se pascere;
 quod nisi puderet, ne luberet vivere.
 sese extemplo ex ephebis postquam excesserit,
 non, ut ego, amoris neque *desidia* in otio
 operam dedisse, neque potestatem sibi
 fuisse; adeo arte cohibitum esse ⟨se⟩ *a patre*:
 multo opere immundo rustico se exercitum,
neque nisi quinto anno quoque solitum visere
urbem, atque extemplo inde, ut spectavisset peplum,
*rus rusum confestim exigi solitum*¹⁷³ *a patre.*
 ibi multo primum sese familiarium
 laboravisse, quom haec *pater* sibi diceret:
 ‘tibi aras, tibi occas, tibi seris, tibi idem metis,
 tibi denique iste pariet laetitiam labos.’
 postquam recesset vita *patrio corpore*,
 agrum se vendidisse atque ea pecunia
 navem, metretas quae trecentas tolleret,
 parasse atque ea se mercis mercatum undique,
 adeo dum, quae tum haberet, peperisset bona;
me idem decere, si ut deceret me forem.

¹⁷³ ‘+ positum’ or ‘ab eo situm’ *Leo*; ‘solitum’ *Ritschl, Lindsay*.

ego me ubi invisum meo patri esse intellego
 atque odio me esse quoi placere aequom fuit,
 amens amansque ut animo offirmo meum,
 dico esse iturum me mercatum, si velit:
 amorem missum facere me, dum illi obsequar.
 agit gratias mi atque ingenium adlaudat meum;
 sed mea promissa non neglexit persequi.
 aedificat navem cercurum et mercis emit,
 parata navi imponit, praeterea mihi
 talentum argenti ipsus sua adnumerat manu;
 servom una mittit, qui olim puero parvolo
 mihi paedagogus fuerat, quasi uti mihi foret
 custos. his sic confectis navem solvimus.

CHAR. In the beginning, after I had come of age and lost my zest for childish things, I became completely captivated by a prostitute here; forthwith my father's property quietly went into exile to her. The ruthless pimp, who owned the girl, grabbed and made off with everything he could pounce on. My father denounced all this night and day, picturing the perfidy and injustice of pimps. To think that his own estate should be absolutely mangled, and that fellow's multiplied! All this at the top of his lungs; or now again he would mutter what he had to say—shake his head, and even insist that I was no son of his. All over the city he would go, proclaiming and giving notice no one was to trust me when I looked for loans. Love had lured many a man into extravagance, he would tell me; but I was an intemperate, unrestrained, unprincipled waster, doing all I could to drain him dry; and the good substance he had acquired by his own unsparing toil was being scattered and squandered by me in the vilest way, on my amours. To think that he had supported me all these years to be a scandal to him! If I was not ashamed of such a life, I ought to end my life and do it gladly. Why, here was he—he had not turned to love affairs and lolling about in idleness like me the moment he came of age, nor did he have a chance—so tightly was he held in check by his father. Work on the farm, dirty work and plenty of it, that was his training, and there was no visiting the city for him, except once every four years, and just as soon as he had set eyes on the sacred robe, his father used to pack him off post haste to the farm again. And there he was the best labourer of them all by far, and his father would say: 'It is for yourself you plough, for yourself you harrow, for yourself sow, yes and for yourself you reap, and for yourself, finally, that labour will engender joy.' After life had left his father's body, he had sold the farm and with the money bought a ship of fifteen tons burden and marketed his cargoes of merchandise everywhere, till he had at length acquired the wealth which he then possessed. I ought to do the same if I were what I ought to be. As for me, when I realized that I was detestable to my own father and disgusting to the

man I should delight, lovesick lunatic though I was, I summoned my resolution and declared that I would go on a trading trip, if he so desired: my love should be put aside if only I could please him. He thanked me and roundly praised my good character; but he did not fail to follow up my promises. He built a small Cyprian bark, bought merchandise, loaded the now completed vessel, and furthermore counted me out a talent of silver with his own hand. A slave who had been my attendant in time past, when I was a tiny lad, he sent along with me as a sort of guardian. These preparations made, we weighed anchor.

The immediate origins of the journey to Rhodes lie in the youthful roistering of Charinus. This behaviour is not in itself unconventional and comedy, as here, often suggests that it begins at the point when an Athenian youth escapes the discipline of the *ephebeia*.¹⁷⁴ The comic father enraged at his son's self-indulgence and urging all he meets to refrain from lending him any money is also a familiar sight.¹⁷⁵ What makes this situation different from most others and places it in a category paralleled only in the *Adelphoe* and the *Heauton Timoroumenos*, and prominent in my discussion of the former, is that the indignation of Demipho cannot be tempered by the friendly reminder that his son is only doing what he did before.¹⁷⁶ Though the success of Demipho has elevated his family to membership of the Athenian leisure class, and his son does no more than demonstrate the characteristic propensities of his peers, the father is scarcely at home in his new world and shuns much of what he has achieved.¹⁷⁷ This discontinuity in experience emerges most clearly in Demipho's account of what *he* did on quitting the *ephebeia* and its echo of the first lines of Charinus' story.¹⁷⁸ His youth was spent at work in the fields, a stranger to the leisure and the affairs enjoyed by his son, strictly confined by his own unrelenting father.¹⁷⁹ Here, therefore, the countryside again conforms to its fundamental

¹⁷⁴ Ter. *Andr.* 51–2, 'nam is postquam excessit ex ephebis, Sosia, (et) | + liberius fuit vivendi potestas +', cf. Philem. *Thur. fr.* 34 K-A = Poll. 10. 164: ἐγὼ γὰρ ὡς τὴν χλαμύδα κατεθέμην ποτὲ | καὶ τὸν πέτασον. Philemon's reference to the *ephebeia* by the uniform worn during service is paralleled in Latin accounts where the acquisition of a degree of independence is marked by the adoption of the *toga virilis*. See Catull. 68. 15–18; Pers. 5. 30–7.

¹⁷⁵ Plaut. *Pseud.* 303–4, 504–6.

¹⁷⁶ For the role of the mild father more mindful of his and his stern companion's youthful sins, see Men. *Kūth.* 59–60; Plaut. *Bacch.* 410, cf. 1076–83, *Epid.* 389–91, cf. 431–4, *Pseud.* 436–42, cf. Ter. *Haut.* 217.

¹⁷⁷ For the class dynamic, cf. Plaut. *Most.* 1141, 'numquid aliud fecit nisi quod summis gnati generibus?'

¹⁷⁸ Plaut. *Merc.* 40–2, cf. 61–4.

¹⁷⁹ Plaut. *Merc.* 61–8.

role in New Comedy as the place of toil. The reference to the Panathenaia, moreover, immediately suggests an opposition, for the city, by contrast, is the home of entertainment, however intermittently and fleetingly enjoyed.¹⁸⁰ It is only when left alone to soliloquize that the father will recall that his youth was not quite as colourless as he has led his son to believe.¹⁸¹

The crucial turning-point in the fortunes of Demipho comes with the death of his own father and the decision to sell the field and take to seafaring.¹⁸² It is in itself striking that, in the life of this vigorous proponent of paternal authority, the great opportunity to reinvent himself should come with the death of the father. What perhaps matters even more is that Demipho cannot leave his father dead. Rather, he constantly brings him back to life through his own harangues, reminding his indolent son of the wise, agrarian saws with which he himself was driven on in his youth: 'It is for yourself you plough, for yourself you harrow, for yourself sow, yes and for yourself you reap, and for yourself, finally, that labour will engender joy.'¹⁸³

Demipho is so indignant at the dissipation of Charinus as to deny that he can be his own son.¹⁸⁴ In order to be as he should be, he adds, Charinus should live as he once lived.¹⁸⁵ And this has its sting, for the voyage to Rhodes is the immediate product of the son's sense that it is indeed right for him to please the man whom he has alienated.¹⁸⁶ When Demipho responds by praising his *ingenium*, that is, the character engendered in him, he also praises himself: only by revealing the character of his progenitor can Charinus do anything good.¹⁸⁷

The merchant expedition of Charinus therefore is an attempt to emulate the model of his father. Much the same pattern holds for the *Heauton Timoroumenos*: Menedemus raises himself from poverty by mercenary service, damns his son Clinia for living the life of the class into which he brought him, trumpets the example of his own young years, and is then distraught when his son secretly enlists on an Asian expedi-

¹⁸⁰ Plaut. *Merc.* 64–8.

¹⁸¹ Plaut. *Merc.* 264–5: 'amavi hercle quidem ego olim in adulescentia, | verum ad hoc exemplum numquam, ut nunc insanio.'

¹⁸² Plaut. *Merc.* 73–7.

¹⁸³ Plaut. *Merc.* 71–2. For such language, cf. Theopropides at Plaut. *Most.* 799, 'sibi quisque ruri metit' and the note of Collart (1970) ad loc. For Theopropides' possession of a rural estate, see Plaut. *Most.* 928, 1076.

¹⁸⁴ Plaut. *Merc.* 50.

¹⁸⁵ Plaut. *Merc.* 78, cf. Ter. *Haut.* 106–7.

¹⁸⁶ Plaut. *Merc.* 79–84.

¹⁸⁷ Plaut. *Merc.* 85.

tion and leaves home.¹⁸⁸ There is, however, a significant difference. For, while it is quite open to Clinia to do precisely as his father did, the decisions taken by Demipho have divorced his family from the world of agriculture, which is so important a part of his experience and on which he draws in order to underpin his own moral authority. Charinus can only emulate the merchant in his father and to do so he must face the perils of the sea.¹⁸⁹

The account of the journey out which Charinus goes on to furnish is as bland as possibly it could be: 'We came to Rhodes.'¹⁹⁰ It is not therefore the elemental quality of the sea which has confused his life. Nor is he an unsuccessful trader: a huge profit is made, greater even than that demanded by his father, big enough to leave him considerable money on the side for his own ends.¹⁹¹ This emphasis on the potentially extravagant returns to be expected from merchant enterprise corresponds to the claims made throughout the Greek economic writings surveyed.¹⁹² Yet it is precisely this success which brings about the difficulties in which Charinus is immersed. The complication in his fortunes is signalled by the opening word of the next sentence of the narrative: 'But . . .'.¹⁹³ Charinus, in short, has been introduced by an innkeeper to his beloved Pasicompsa and has blown his substantial *peculium* in buying her for himself. How now is he to explain her presence to father?

At this point, therefore, we have finally reached the issue on which the action of the play will turn: a rich young man entangled with a

¹⁸⁸ Ter. *Haut.* 95–117. At Plaut. *Epid.* 449–51, it is revealed that the young Periphanes gained great wealth through mercenary service, but it is never suggested that the campaign from which Stratippocles returns at the start of the play is one in which he felt forced to serve in order to satisfy his father. For mercenary service as a route to wealth and honour, see also Men. *Asp.* 4–12.

¹⁸⁹ Gabba (1988) 74 compares the career of Demipho to the plans of Gripus at Plaut. *Rud.* 925–37 which, for all their fantasy, he takes to encode quite plausible aspirations in contemporary Rome. But Gripus will invest in land for security, then use the rest in order to take to sea. Demipho, by contrast, sells his land in order to fund a maritime venture and there is no subsequent mention of any rural estate or of the reinvestment of the profits of maritime trade in land (a process admired by Cic. *off.* 1. 151 and regarded by Gabba as normative). It is conventional in Roman Comedy for a character to travel 'rus' when heading for a country estate (Plaut. *Merc.* 667–8, 711, 804; Ter. *Eun.* 187 with Barsby (1999) ad loc. and 216); when Eutychus at Plaut. *Merc.* 656 advises Charinus to go 'rus aliquo', the 'aliquo' suggests that there is no specific country property which Charinus can call his own. All other references to 'rus' in the *Mercator* are to the property of Lysimachus and Dorippa.

¹⁹⁰ Plaut. *Merc.* 93, 'Rhodum venimus'.

¹⁹¹ Plaut. *Merc.* 93–7.

¹⁹² See above pp. 123–6.

¹⁹³ Plaut. *Merc.* 97.

woman of whom his stern and moralizing father is bound to disapprove. This, needless to say, is far from unusual in the world of New Comedy. What is distinctive about the *Mercator* is the very long story which the son has had to tell in order to reach this situation and the degree to which the various stages in that story will inform the conflict which ensues. And perhaps the crucial juncture in that story is the departure of Demipho from the land. For Pasicompsa emerges as a perfect instance of what Nikolaus identifies as the sexual dissipation of sailors brought on by *epimixia*.¹⁹⁴ Had Demipho responded to the dissipation of his son by insisting that Charinus return to the family farm and take up a hoe, he could have been quite confident that he would be free from women of her sort.¹⁹⁵ Even had such exotic figures found their way onto the farm, ceaseless toil would never have permitted his son the time to notice them. Even had he noticed them, the scant profits of agriculture would never have given him the money to buy one for himself.¹⁹⁶ But, as far as we can tell, there is no farm. It is not without reason that Charinus is made to tell us as much as he does.¹⁹⁷

The sea sailed by Charinus between Athens and Rhodes appears to have presented itself to him in as benign an aspect as it possibly could. Almost as soon as he is back on shore, however, a storm of trouble is destined to break over his head. Acanthio the slave sent with him to Rhodes enters the stage at a run and reports the catastrophic news that Demipho has been to the port and has seen the girl.¹⁹⁸ The response

¹⁹⁴ Walz, ed. *Rhet. Graec.* 1. 366. 8–11.

¹⁹⁵ Cf. Plaut. *Merc.* 508–9, where Pasicompsa protests that she has never learnt how to perform agricultural tasks.

¹⁹⁶ For the absence of temptation as a characteristic of the rural life, cf. Cic. *S. Rosc.* 39 ‘quae vita maxime disiuncta a cupiditate et cum officio coniuncta est’ and 75 ‘in rusticis moribus, in victu arido, in hac horrida incultaque vita istius modi maleficia gigni non solere... in urbe luxuries creatur, ex luxuria existat avaritia necesse est, ex avaritia erumpat audacia, inde omnia scelera ac maleficia gignuntur; vita autem haec rustica quam tu agrestem vocas parsimoniae, diligentiae, iustitiae magistra est’.

¹⁹⁷ For the implied incompatibility of agriculture and love, see also Plaut. *Merc.* 355 and Charinus’ punning ‘hocine est amare? arare mavelim, quam sic amare.’ Note, however, Plaut. *Asin.* 874, *Truc.* 147–50, with Enk (1953) ad loc. and Adams (1982) 24, 154, for ‘arare’ in an obscene sense.

¹⁹⁸ Plaut. *Merc.* 180–8. The identification of Acanthio the partner-in-crime with the former ‘paedagogus’ sent as a form of guardian at Plaut. *Merc.* 90–2 may seem somewhat incongruous, but Pseudolus is referred to as the ‘paedagogus’ of Calidorus at Plaut. *Pseud.* 447 and is no keener to conspire in the infantilization of the son. Parker (1989) 243 is wrong to claim that the humourless Lydus of the *Bacchises* is the only ‘paedagogus’ in Plautus. For a Terentian slave apparently placed in the position of ‘paedagogus’ but still conspiring with the son, see Syrus at Ter. *Haut.* 593–4, ‘atqui nunc, ere, tibi istic adservandus est | ... si sapias; nam mihi iam minus minusque obtemperat.’

of Charinus is to represent himself as a candidate for imminent shipwreck:

CHAR. nequiquam, mare, subterfugi a tuis tempestatibus:
equidem me iam censebam esse in terra atque in tuto loco,
verum video me ad saxa ferri saevis fluctibus.

CHAR. In vain, sea, did I escape your storms. I thought indeed that I was back on land and in a place of safety, but now I see that I am being borne to the rocks by the savage tides.¹⁹⁹

This, I would argue, is more than just a metaphor. The implication is that the instability of the sea extends beyond the shifting surface of the waves. The sea also injects instability into society by the products, the peoples it imports. Pasicompsa is the delayed reminder of its power to confuse.

The end of comedy is to present the reintegration and reconciliation of families and society. The *Mercator* will achieve this end by beating off the libidinous Demipho and reasserting both the right of Charinus to Pasicompsa in particular and of unmarried young men to such dalliance in general. The counterplot which is never finally realized is one in which Charinus risks wholesale alienation from his family and his homeland. The theme of exile is introduced as a metaphor as early as the prologue,²⁰⁰ and culminates in the mad-scene in which the lovelorn Charinus assures his ally Eutychus that he means to leave home and sail the Aegean in search of his beloved.²⁰¹ Here too the lover is figured as exposing himself to the ravages of the storm-tossed sea, his mind billowing like a wave.²⁰¹ If he is insane, he does no more than display a proverbial quality of the deep.²⁰³ What is striking is the degree to which the metaphor for the dislocation and alienation of Charinus overlaps with his own prior experience and with the maritime origin of his woes.

The themes which dominate the mad-scene and the proposed

¹⁹⁹ Plaut. *Merc.* 195–7. For discussion of similar storm metaphors at Philem. fr. 28, 51, 111, 178 K-A (for fr. 116 Kock, cf. *PCG* VII. 317), see Averna (1988) 43–5 developing an observation in Fraenkel (1960) 215 n. 1. For similar motifs, see also Men. *Sam.* 206–10; Plaut. *Trin.* 1087–90, *Most.* 737–40.

²⁰⁰ Plaut. *Merc.* 43, cf. 593 ‘exsulatum abiit salus’.

²⁰¹ Plaut. *Merc.* 830–956. For discussion of this motif, see also Zagagi (1988).

²⁰² Plaut. *Merc.* 874–80, 890–1.

²⁰³ Semon. fr. 7. 39–40W; Mosch. fr. 1 Gow; Plaut. *Trin.* 826; Verg. *ecl.* 9. 43; Prop. 1. 8. 5, 3. 7. 6; Hor. *carm.* 3. 4. 30; Ov. *epist.* 7. 53, 18. 28; Sen. *Ag.* 540, *Phaedr.* 351, 700; Avien. *Arat.* 316.

exile of Charinus are first articulated in an earlier exchange with Eutyclus.²⁰⁴ Crucial here is the reply of Eutyclus to the threat of exile and the enumeration of the possible cities to which Charinus may head:

EUT. quid tu ais? quid cum illuc, quo nunc ire paritas, veneris,
 si ibi amare forte occipias atque item eius sit inopia,
 iam inde porro aufugies, deinde item illinc, si item evenierit?
 quis modus tibi exilio tandem eveniet, qui finis fugae?
 quae patria aut domus tibi stabilis esse poterit? dic mihi.
 cedo, si hac urbe abis, amorem te hic relicturum putas?
 si id fore ita sat animo acceptum est, certum id, pro certo si habes,
 quanto te satiust rus aliquo abire, ibi esse, ibi vivere
 adeo dum illius te cupiditas atque amor missum facit?

EUT. What are you saying? What if, when you have arrived at the place to which you are now preparing to head off, you happen to fall in love there and still you are not satisfied, will you then flee from there too, and from the next place likewise, if the same thing happens? What fatherland or stable home will you be able to have? I ask you, if you leave this city, do you think that you will leave love behind here? If you believe that that will be the case, if it's a certainty and you are sure of it, how much better it is for you to head off to the countryside somewhere, stay there, live there until your yearning and desire for that girl releases you.²⁰⁵

When Eutyclus asks which fatherland or stable home the exiled Charinus will ever enjoy, he implies the fundamental instability of the sea from which he has just emerged and to which he is now set to return.²⁰⁶ The prominence of this association in Greek thought has been established above. So too has been the construction of the countryside as the counterbalancing locus of stability.²⁰⁷ It is therefore no less valuable that Eutyclus should suggest that Charinus, instead of pursuing his exile overseas, should retreat to the countryside until love releases him from its grip. Where a new love is liable to take hold of Charinus at every city or island to which he flees, the countryside will offer a lasting escape from such disturbance. This assumption is entirely consonant with my analysis of the significance for Charinus of Demipho's sale of the farm and adoption of merchant enterprise.

²⁰⁴ Plaut. *Merc.* 644–60.

²⁰⁵ Plaut. *Merc.* 649–57.

²⁰⁶ Note esp. the number of islands among the potential destinations listed by Charinus at Plaut. *Merc.* 646–7. For more on this theme, see below, pp. 152–6.

²⁰⁷ See above, pp. 123–6.

It also has a significant bearing on the next scene of the drama. For, while the moral downfall of the veteran Demipho and Lysimachus has been attendant on their journey to the port and encounter with Pasicompsa,²⁰⁸ while their plans for dissipation have turned on the summoning of a cook and supplies from the forum,²⁰⁹ the crucial moment of repression in the drama is the return of the ferocious Dorippa, wife of Lysimachus, from their residence in the country.²¹⁰ When Dorippa finally encounters her errant husband, the stilted shadow-boxing of their initial exchanges is exquisite:

LYS. quid nunc ego faciam nisi uti adeam atque adloquar?
iubet salvere suos vir uxorem suam.
urbani fiunt rustici? DOR. pudicius
faciunt, quam illi qui non fiunt rustici.
LYS. num quid deliquont rustici? DOR. ecastor minus
quam urbani, et multo minus mali quaerunt sibi.
LYS. quid autem urbani deliquerunt? dic mihi,
cupio hercle scire. DOR. sed tu me temptas sciens.

LYS. What now am I to do except to approach her and address her? Her husband bids his wife be well. Do the countryfolk become cityslickers?
DOR. They act more chastely than those who do not become countryfolk.
LYS. Surely the countryfolk do not commit any offence?
DOR. By Castor, much less so than the cityslickers, and much less trouble they are getting into too.
LYS. But what offence have the cityslickers committed? Tell me. By Hercules I am itching to know.
DOR. But you are testing me when you know full well.²¹¹

On one level, the absence of Dorippa on the family estate merely constructs her and Lysimachus as members of that wealthy Athenian class which habitually owns property both in the country and in town.²¹² Her return from a sojourn overseas would be considerably less obvious and in need of more detailed explanation. On another level, however, the repressive consequences of her unexpected arrival cohere with the play's profound engagement with the opposition between the life of the land and that of the city and the port. That the prime victim of this

²⁰⁸ Plaut. *Merc.* 180–94, 255–67, 326–9.

²⁰⁹ Plaut. *Merc.* 578–83, cf. 797–9. For the hiring of cooks from that part of the *agora* known as τὰ μαγειρεῖα, see Antiph. fr. 201 K–A = Poll. 9. 48; Thphr. *Char.* 6. 9; Plaut. *Pseud.* 790, 'forum coquinum'; Dohm (1964) 70–1.

²¹⁰ Plaut. *Merc.* 543, 586–7, 667–9, 705–6, 760–1, 765–6.

²¹¹ Plaut. *Merc.* 712–21.

²¹² See above n. 22.

oppression should be the self-serving son of the soil and moralizing hypocrite Demipho is sweetly appropriate.

The *Mercator* puts the land, the sea, and their respective economies at its heart. Inasmuch as the land is figured as the locus of stability and the sea that of instability, the social reintegration characteristic of a comic ending pulls strongly in the direction of the land: Charinus abandons his plans for an island-hopping exile and returns to his homeland and his family. Yet this reintegration is not at the cost of losing Pasicompsa. Where, however, she was once a force of disruption strong enough to set him loose on the sea of love, now she is the subject of impromptu legislation, the propriety of her relationship with Charinus decreed normative for all future sons in their comic world.²¹³ If the crisis of the comic ephebe is acted out at a crossroads, the form does not force on him a Prodican choice between one path and another. Rather, it teaches him how to live precisely where he is.

Cato, Carthage, and Mercatura

The representation of agriculture and the land as the stable alternative to mercantile trade and the sea finds an intriguing echo in a work composed only a few years after the *Mercator*. The preface to Cato's *De Agri Cultura* offers the following construction of the centrality of agriculture to the polity of early Rome and of its enduring superiority to money-lending and to trade:

est interdum praestare mercaturis rem quaerere, ni tam periculosum sit, et item fenerari, si tam honestum sit. maiores nostri sic habuerunt et ita in legibus posiverunt furem dupli condemnari, feneratorem quadrupli. quanto peiorem civem existimarint feneratorem quam furem, hinc licet existimare. et virum bonum quom laudabant, ita laudabant, bonum agricolam bonumque colonum. amplissime laudari existimabatur qui ita laudabatur. mercatorem autem strenuum studiosumque rei quaerendae existimo, verum, ut supra dixi, periculosum et calamitosum. at ex agricolis et viri fortissimi et milites strenuissimi gignuntur, maximeque pius quaestus stabilissimusque consequitur minimeque male cogitantes sunt qui in eo studio occupati sunt. nunc ut ad rem redeam, quod promisi institutum, principium hoc erit.

It can sometimes be superior to seek wealth by merchant ventures but for the fact that it is so dangerous; and likewise moneylending, if only it were as honourable. Our ancestors held this view and embodied it in their laws, which

²¹³ Plaut. *Merc.* 1015–24. On this scene, see Usener (1901).

required that the thief be fined double and the usurer fourfold; how much less desirable a citizen they considered the usurer than the thief, one may judge from this. And when they would praise a worthy man their praise took this form: 'good farmer, good husbandman'; one so praised was thought to have received the greatest commendation. The trader I consider to be an energetic man, and one bent on making money; but, as I said above, it is a dangerous career and one subject to disaster. On the other hand, it is from the farming class that the bravest men and the sturdiest soldiers come, the livelihood is most highly respected and most stable, and those who are engaged in that pursuit are least inclined to have evil thoughts. Now, to return to the matter in hand, the theme which I have set out, this shall be the beginning.²¹⁴

It was earlier suggested that the mapping of oppositions between Greek and Roman onto those between city and country apparent in the opening scene of the *Mostellaria* responded to the Catonian construction of the polity of early Rome as fundamentally agrarian and to the indictment of the urban senatorial elite for their corrupting importation of Hellenic manners. That his model of true 'unhellenized' Romanity was Sabine and therefore by extension Spartan seems not to have troubled Cato.²¹⁵ The same paradoxes are on display here. On the one hand it is surely of the essence that the final statement of the ethical superiority of agriculture aligns Cato with the values he attributes to the nation's ancestors; the implication is that the *De Agri Cultura* will be a strong reassertion of all that was good before urbanism, before luxury, before Greece.²¹⁶ On the other, almost every trope which Cato

²¹⁴ The Latin text printed follows Gratwick (2002) in restoring Merula's emendation 'ni' for 'nisi' on the grounds that 'ni' + subj. in Republican Latin has the sense 'but for the fact that'. Gratwick argues further that Cato's opening words should be emended to 'est interdum praestare (rem) mercaturis rem quaerere' with the sense 'It can sometimes be that to provide money for merchant ventures is to make money'. This suggestion is based on the conclusion that 'est interdum praestare' is an impossibly contorted way to say 'it can sometimes be superior' and one which none of the cases of 'est' + infin. adduced at pp. 48–9 and n. 17 can properly parallel. However, Gratwick's position is open to a number of objections: (i) For the emended text to make sense 'quaerere' must have no conative implications and can only mean 'acquire' as at *OLD* p. 1533 s.v. 'quaero' 7. Yet the subsequent description of the merchant as 'studiosumque rei quaerendae' is obviously conative. (ii) The emendation introduces a category—investment in merchant activity—which is otherwise absent from the preface; pp. 62–8 get round this by emending the final sentence to 'nunc ut ad rem redeam, quo(a)d promisi institutum, principium hoc erit, (rem re) quaerere', but the claim at pp. 63–4 that 'promisi' is impossible on the grounds that Cato has yet to promise any particular theme ignores the title of the work *DE AGRI CULTURA*.

²¹⁵ See above, pp. 101–5.

²¹⁶ Both Gabba (1988) 29–30 and Giardina (1989) 416–17 point to the description of the merchant as 'strenuum studiosumque rei quaerendae' and therefore speak of Cato's admiration for this class. This is indeed somewhat different from some of the Greek sources cited,

employs in this preface is borrowed directly from the Greek. That the structure of the preface and the opening chapters of the *De Agri Cultura* bear a striking resemblance to that of the *On Horsemanship* of Xenophon was observed by Leo.²¹⁷ The same claim may now be made for the ideas expressed: the preference for agriculture over merchant trade or, worse, moneylending was earlier traced back to Aristotle and permeates the texts studied in the previous sections of this argument; the perilousness of the merchant trade, the ethical and military superiority of farmers, and the greater stability of agriculture are all typical of the same intellectual world. Cato busily transmits the wisdom of the same culture whose influence he professes to abjure.²¹⁸

The exposure of the Hellenic basis of Catonian antihellenism has its own satisfaction. Yet there is more to this than just unmasking a fake. Rather the unreconciled tensions excavated in the preface to the *De Agri Cultura* speak to the drastic social change against which Cato reacts. The discovery that the values attributed to the citizens of early Rome are also those of the writers of Greece might promote a sense of cultural coalescence and mutual admiration; yet it also risks leaving the uneasy feeling that Rome has changed so drastically and so fast that any authentic national past is beyond recovery, beyond recall.

The *De Agri Cultura* is soon entrapped in a second and even more significant contradiction. The claim that the farming class produces the sturdiest soldiers would make no sense were those soldiers not trained up by their own exertions in the fields; sitting on the front porch to observe the chain-gang at their work is no route to vigour. This is only the most obvious proof that the social structure endorsed by the preface centres on a domestic economy and the readiness of each man to work his own land. The same, however, cannot be said for what follows.²¹⁹ For the *De Agri Cultura* is a practical guide for the

but the ethical supremacy of farming is still evident from its description as 'maxime . . . pius quaestus' and the reference to farmers as 'minime . . . male cogitantes'. What makes merchant activity less pious than this?

²¹⁷ Leo (1913) i. 275–6 and Münscher (1920) 70–4 both note structural similarities between Cato *agr.* and Xen. *Eq.*: where Cato's preface is followed immediately by directions on how to buy land, that of Xenophon leads straight into instructions on how to buy a horse. Neither, however, notes the specific echoes of Greek economic thought in what Cato actually says.

²¹⁸ Colum. 1 pref. in turn owes much both to Cato and to the Greek sources of Cato. Note esp. 1 pref. 7–8 for the assertion of the 'iustitia' of agriculture, and the indictment of mercenary service, trade, and usury.

²¹⁹ For discussion of the relationship of the *De Agri Cultura* both to Cato's own economic activity and to the economic history of Rome in the first half of the 2nd century BC, see esp. Astin (1978) 240–66; Gabba (1979) 29–38.

modern Roman absentee landowner and, if its preface appeals to the admiration for the autonomous peasant farmer of generations of early Romans, its didactic core is an instruction in large-scale investment farming and the exploitation of servile labour.²²⁰ And this is the very mode of agriculture most inimical to the interests of the independent landsman and which the Gracchan reforms will endeavour to confront. Cato here is not the conservative opponent of profound social and economic change; he is entirely implicated in it.²²¹

If the actual advice offered in the *De Agri Cultura* betrays the redundancy of the archaic ideal endorsed by the preface, so the long career of the author himself is able to set new contexts for the interpretation of his work. In an important study, Gabba attempts to align the values endorsed in the preface with those underpinning the 218 BC *Lex Claudia* and argues that what links them is the desire to protect the Roman ruling class from unstable financial investments which threaten them with ruin and the concomitant inability to meet the census requirement which guarantees their status.²²² The Catonian endorsement of agriculture as the most stable of livelihoods is thus entirely in tune with an attempt to limit senators and their sons to the possession of one ship of 300 amphorae sufficient to bring their produce from the fields.²²³ Yet it must be recalled that this crisis dates from Cato's adolescence and that the hostility incurred by Flaminius amongst the nobility for advancing this bill reveals that they are already engaged in economic activities quite different from the archaic and archaizing mode which the bill sought to impose.²²⁴

Further contexts proliferate. Though the 191 BC *De Suis Virtutibus* makes much of Cato's youthful engagement in agricultural labour, it would be foolish to regard the *De Agri Cultura*, almost certainly a work

²²⁰ For absentee landlords, see Cato *agr.* 4. 1, 'villam urbanam pro copia aedificato; in bono praedio si bene aedificaveris, bene posiveris, ruri si recte habitaveris, libentius et saepius venies', cf. 142 on what the 'vilica' must do 'uti adventu domini quae opus sunt parentur curenturque diligenter'.

²²¹ This is not true of the largely Athenian texts on which Cato draws for his account of economic ethics, texts which stem from a period when, according to Andreyev (1974) 18–25, the apportionment of the Attic countryside into just such small landholdings was relatively stable and continuous. The redeployment of this same discourse as part of Cato's advocacy of ancestral values takes place in a much more difficult contemporary context.

²²² Gabba (1988) 27–44, cf. 89–90.

²²³ Liv. 21. 63. 3–4. That the size of ship specified is one-thirtieth the capacity of some contemporary merchantmen tells its own story. So too the strict delimitation of the ends to which such a ship is to be put.

²²⁴ Precise remarks in Gruen (1984) 306–8.

of his maturity, as evidence of a long life devoted solely to farming and public service. Plutarch provides the best account of Cato's attitude to investment and this begins with the statement that, when Cato engaged more vigorously in making money, he treated agriculture as a hobby rather than as a source of income.²²⁵ For all, therefore, that the *De Agri Cultura* appears to be a quite practical guide to farming, and is indeed largely written in a style likely to repel anyone other than the most determined seeker after sound agricultural advice, even that central core of didaxis on investment farming has a Marie-Antoinette aspect to it. Yet what Plutarch says of Cato's alternative choices of investment also testifies to the ongoing importance of the very virtue which he endorses in the preface. For security is the watchword of Cato's numerous property speculations,²²⁶ and, when he takes to that most invidious mode which is precisely investment in naval loans,²²⁷ the complex procedures which he evolves are specifically designed to retain the prospect of high returns while minimizing the risks characteristically attendant on such a venture.²²⁸ Cato the plutocrat has long ago superseded the Sabine farmer of his youth but the preoccupation with stability still remains.

If the *Mercator* engages with the realities which make Cato regard maritime trade as inherently unstable, the family of Demipho and Charinus experience only the fast profits and not the calamitous losses which as readily dog the merchant and his profession. It is therefore important that, when Eutychus urges his friend to seek a stable home, what he counters is the mental instability of a young man hopelessly devoted to a woman met on a voyage to Rhodes, and who now behaves as if an exile ceaselessly pursuing his beloved from one city, one island to another. For this scene overlaps strikingly with another Latin text to which reference has already been made—the *De Re Publica* of Cicero—where the inhabitants of maritime cities are represented as living in a state of constant spiritual exile even when living at home.²²⁹ And

²²⁵ Plu. *Cat. Ma.* 21. 5, ἀπτόμενος δὲ συντονώτερον πορισμοῦ, τὴν μὲν γεωργίαν ἡγγεῖτο μάλλον διαγωγὴν ἢ πρόσδοτον.

²²⁶ Plu. *Cat. Ma.* 21. 5, εἰς δ' ἀσφαλῆ πράγματα καὶ βέβαια κατατιθέμενος τὰς ἀφορμὰς . . . ἀφ' ὧν αὐτῶι χρήματα προσήκει πολλά μὴδ' ὑπὸ τοῦ Διός, ὡς φησιν αὐτός, βλαβῆναι δυναμένων.

²²⁷ Plu. *Cat. Ma.* 21. 6, τῷ διαβεβλημένῳ μάλιστα τῶν δανεισμῶν.

²²⁸ Plu. *Cat. Ma.* 21. 7, ἦν οὖν οὐκ εἰς ἅπαν ὁ κίνδυνος, ἀλλ' εἰς μέρος μικρὸν ἐπὶ κέρδεσι μεγάλοις.

²²⁹ Cic. *rep.* 2. 7. 3, 'iam qui incolunt eas urbes non haerent in suis sedibus, sed volucris semper spe et cogitatione rapiuntur a domo longius, atque etiam cum manent corpore, animo tamen exulant et vagantur.' The avian metaphor derives from Pl. *Lg.* 952D–E.

what is true of the individual citizens is inevitably valid for the polity as a whole: the myth of the perpetually mobile Delos offers an implicit metaphor for the cultural instability of all the islands of Greece.²³⁰

The notion that exposure to the sea and to maritime trade injects instability into the state has an important role in articulating what Romans wish to see as distinguishing themselves from other polities. In the same passage of the *De Re Publica*, Cicero claims that no other factor did more to overturn (*pervertit*) Corinth and Carthage than their engagement in maritime trade;²³¹ to the citizens of both these states it might appear that what most effectively turned them over was the unprecedented show of force in which Rome engaged in 146 bc. Precisely the same rationale is then to be found at Appian, *Bellum Poenicum* 81, where L. Marcus Censorinus delivers the 149 bc order that the Carthaginians found a new settlement 80 stades from the sea since the Romans have resolved to destroy their city as it stands.²³² The precise Platonic distance cannot be accidental. For, at *Bellum Poenicum* 86–7, Censorinus proceeds to compare the instability of a naval-based empire to that of naval trade:

ἡ θάλασσα ὑμᾶς ἦδε, μεμνημένους τῆς ἐν αὐτῇ ποτὲ ἀρχῆς καὶ δυνάμεως, ἀδικεῖν ἐπαίρει, καὶ ἀπὸ τούδε ἐς συμφοράς περιφέρει. Σικελίαί τε γὰρ δι' αὐτὴν ἐπεχειρήσατε, καὶ Σικελίαν ἀπωλέσατε· ἐς τε Ἰβηρίαν διεπλεύσατε, καὶ Ἰβηρίαν ἀφήρησθε. ἐν τε ταῖς συνθήκαις ἐλήξεσθε τοὺς ἐμπόρους, καὶ τοὺς ἡμετέρους μάλιστα, ἵνα λανθάνοιτε, κατεποντοῦτε, ἕως ἄλόντες ποινὴν ἡμῖν ἔδοτε Σαρδῶ. οὕτω καὶ Σαρδοὺς ἀφηρέθητε διὰ τὴν θάλασσαν, ἣ πέφυκε πείθωιν ἅπαντας αἰὲ τοῦ πλέονος ὀρέγεσθαι διὰ τὴν ἐν αὐτῇ ταχυερίαν. ὃ καὶ Ἀθηναίους, ὅτε ἐγένοντο ναυτικοί, μάλιστα ἠϋξήσέ τε καὶ καθεῖλεν· ἔοικε γὰρ τὰ θαλάσσια τοῖς ἐμπορικοῖς κέρδεσιν, ἃ καὶ τὴν αὖξιν ἔχει καὶ τὴν ἀπώλειαν ἀθρόαν. ἵστε γοὺν αὐτοὺς ἐκείνους ὧν ἐπεμνήσθη, ὅτι τὴν ἀρχὴν ἐπὶ τὸν Ἰόνιον ἐκτείνοντες ἐς Σικελίαν οὐ πρὶν ἀέστησαν τῆς πλεονεξίας, πρὶν τὴν ἀρχὴν ἅπασαν ἀφαιρεθῆναι, καὶ λιμένας καὶ ναῦς παραδόναι τοῖς πολεμίοις, καὶ φρουρὰν ἐνδέξασθαι τῇ πόλει, καὶ τὰ τεῖχη σφῶν αὐτοὶ τὰ μακρὰ καθελεῖν, καὶ σχεδὸν ἡπειρώται τότε κάκεῖνοι γενέσθαι. ὃ καὶ διέσωσεν ἐπὶ πλείστον αὐτοὺς. εὐσταθέστερος γάρ, ὦ Καρχηδόνιοι, ὁ ἐν ἡπείρῳ βίος, γεωργία καὶ ἡρεμία προσπονῶν· καὶ σμικρότερα μὲν ἴσως τὰ κέρδη, βεβαίωτερα δὲ καὶ ἀκινδυνότερα καθάπαξ τὰ τῆς γεωργίας τῶν ἐμπόρων. ὅλως τέ

²³⁰ Cic. *rep.* 2. 8. 3, 'quid dicam insulas Graeciae? quae fluctibus cinctae natant paene ipsae cum civitatum institutis et moribus.'

²³¹ Cic. *rep.* 2. 7. 4.

²³² For a brilliant discussion of this episode, see Purcell (1995) esp. 133–8. For the highly dubious historicity of the speech itself, see Münzer at Pauly *RE* xiv. 1552–4, who acknowledges its strongly rhetorical character and notes the contradiction with D.S. 32. 6. 3.

μοι δοκεῖ πόλις ἡ μὲν ἐν τῇ θαλάσσῃ ναῦς τις εἶναι μᾶλλον ἢ γῆ, πολὺν τὸν σάλον τῶν πραγμάτων ἔχουσα καὶ τὰς μεταβολάς, ἡ δὲ ἐν τῷ μεσογείῳ καρποῦσθαι τὸ ἀκίνδυνον ὥς ἐν γῇ. διὰ τοῦτ' ἄρα καὶ τὰ πάλαι βασιλεία ὥς ἐπίπαν ἦν ἐν μέσῳ, καὶ ἀπὸ τοῦδε μέγιστα ἐγένοντο τὰ Μήδων καὶ Ἀσσυρίων καὶ Περσῶν καὶ ἐτέρων.

The sea reminds you of the dominion and power you once acquired by means of it. It prompts you to wrongdoing and brings you thus into disaster. The sea made you invade Sicily and lose it again. Then you invaded Spain and were driven out of it. While a treaty was in force you plundered merchants on the sea, and ours especially, and in order to conceal the crime you threw them overboard, until finally you were detected, and thus you gave us Sardinia by way of penalty. Thus you lost Sardinia also because of the sea, which always begets a grasping disposition by the very facilities which it offers for gain. Through this the Athenians, when they became a maritime people, grew mightily, but fell suddenly. Naval prowess is like merchants' gains—a good profit today and a total loss tomorrow. You know at any rate that those very people whom I have mentioned, when they had extended their sway over the Ionian Sea to Sicily, could not restrain their greed until they had lost their whole empire, and were compelled to surrender their harbour and their ships to their enemies, to receive a garrison in their city, to demolish their own Long Walls, and to become almost an inland people. And this very thing secured their existence for a long time. Believe me, Carthaginians, life inland, with the joys of agriculture and quiet, is much more equable. Although the gains of agriculture are, perhaps, smaller than those of mercantile life, they are surer and a great deal safer. In fact, a maritime city seems to me to be more like a ship than solid ground, being so tossed about on the waves of trouble and so much exposed to the vicissitudes of life, whereas an inland city enjoys all the security of the solid earth. For this reason the ancient seats of empire were generally inland, and in this way those of the Medes, the Assyrians, the Persians, and others became very powerful.

It is to be trusted that the Carthaginian audience found the content of this sermon edifying. Likewise the Roman citizens denied access to the Campanian land allotments which the legislation of Rullus would have given them when Cicero again invoked the memory of Carthage and its corruption through trade.²³³

The establishment of Roman domination of the Mediterranean in the second century required the elimination of Carthage as a rival

²³³ Cic. *leg. agr.* 2. 95, 'non ingenerantur hominibus mores tam a stirpe generis ac seminis quam ex eis rebus quae ab ipsa natura nobis ad vitae consuetudinem suppeditantur, quibus alimur et vivimus. Carthaginienses fraudulentum et mendaces non genere, sed natura loci, quod propter portus suos multis et variis mercatorum et advenarum sermonibus ad studium fallendi studio quaestus vocabantur.'

naval power.²³⁴ What better way to rationalize the destruction of their state than to represent it as the cleansing of a corruption brought on by trade?²³⁵ So much for what is wrong with the enemies of Rome. What though of the city itself? Cicero gives thanks to the Tiber for the ability of Rome to stand at a salutary distance from the sea and thus to control its interaction with it; Appian's Censorinus adopts the same position and calculates that Rome is a reassuring 100 stades from the shore.²³⁶ To those less ready to be beguiled by Plato, the situation might, however, seem rather different.

Among the justifications offered by Polybius for a longer treatment of the First Punic War is the claim that at its outset both Rome and Carthage were unstained in their customs.²³⁷ The evident implication is that this is no longer the case. Polybius further stresses that one of the major factors motivating Roman intervention in Sicily was their anxiety at the Carthaginian domination of the sea and the threat to their supplies which this implied.²³⁸ A crucial point of interest in this episode, therefore, is that it marks the occasion on which Rome becomes a naval power,²³⁹ and the historian vividly evokes the Romans' first ever attempts to construct a fleet or train rowers.²⁴⁰ Yet just as soon as Rome takes to the sea, she also involves herself in the affairs of Sardinia,²⁴¹ and the unprincipled occupation of that island will be marked by Polybius as one of the most significant factors in the run-up to the war against Hannibal.²⁴² The point which Polybius implies in his analysis of the First Punic War is one which he and other Roman historians of the later stages of empire will make *ad nauseam*: that the expansion abroad of Roman power is not a one-way process, that the interaction with foreign states necessarily involves the importation to Rome of customs

²³⁴ Liv. 30. 37. 3; App. *Pun.* 54 include the destruction of Carthaginian naval power as one of the terms of the treaty concluded after Zama. See esp. Liv. 30. 43. 12 for the destruction of the Carthaginian fleet equated with the destruction of the whole city.

²³⁵ For the Poeni as the inventors of trade, see Cic. *rep.* 3 fr. 3; Plin. *nat.* 7. 199. Plaut. *Poen.* 1016 perhaps hints at this association.

²³⁶ Cic. *rep.* 2. 10. cf. App. *Pun.* 89. For the stability of Rome, see esp. Cic. *rep.* 2. 10. 2 where Romulus divines 'hanc urbem *sedem* aliquando et *domum* summo esse imperio praebituram'.

²³⁷ Plb. 1. 13. 12, ἀκέραια ... τοῖς ἔθισμοις. This passage enforces the claim of Lintott (1972) 629 that the transmarine wars which Plb. 18. 35. 1–2 marks as decisive in the cultural transformation of Roman society begin as early as the First Punic War.

²³⁸ Plb. 1. 7. 6, Καρχηδονίου θαλαττοκρατούντας, cf. 1. 16. 7, 1. 20. 5.

²³⁹ Plb. 1. 20. 7–8, cf. 1. 63. 9–64. 6, 2. 1. 2, 2. 71. 7; Flor. 1. 18.

²⁴⁰ Plb. 1. 20. 9–21. 3, cf. 1. 23. 3.

²⁴¹ Plb. 1. 24. 7.

²⁴² Plb. 3. 10. 1–4, cf. 3. 13. 1.

which will transform the conqueror as much as she transforms the conquered. Rome will never more be undefiled.

It is perhaps credible that the First Punic War was the first time that the Roman state took to sea.²⁴³ But states follow where merchants lead and the figure of the *mercator* looms large in accounts of Rome's first encounters with foreign foes. Polybius, for instance, quotes what purports to be the 509/8 BC treaty with Carthage of the first consuls L. Junius Brutus and M. Horatius and the stipulation that the Romans may not sail past the Fair promontory.²⁴⁴ This is explained in terms of Carthage's determination to deny the Romans knowledge of the region known from its fertility as Emporia.²⁴⁵ What the name Emporia more specifically suggests are the Greek terms *emporos* for merchant and *emporion* for market, and various strictures governing merchant trade suggest that it is specifically Roman merchants and not any putative Roman navy that the Carthaginians seek to exclude.²⁴⁶ When, however, merchant traders can look to an established naval power to protect them from hostile peoples, they become a dangerous element in the interaction of nations.²⁴⁷ Cicero knows as much and repeatedly stresses the readiness of the nation's ancestors to fight wars in order to protect its merchant class from injury.²⁴⁸ Merchant activity and the cultural instability attendant on empire are inextricably linked.

Conclusion

The aim of this chapter has been to study the relationship between scenic and extra-scenic worlds in New Comedy. A fundamental concern is the way in which the domestic scene depicted on stage, though itself the locus of little economic activity, stands at a crossroads between agrarian and mercantile economies, situated off-stage at the

²⁴³ For the same claim, see *ILLRP* 319 for C. Duilius in 260 BC as the first to equip a naval fleet and defeat Carthage.

²⁴⁴ Plb. 3. 22. 5–6, cf. 3. 24. 4 for similar stipulations in a later treaty. For the dating of the treaties, see Walbank (1957) at Plb. 3. 22–5.

²⁴⁵ Plb. 3. 23. 2. For cynical self-interest in Roman policy illustrated by their attitude to the advance of Massanissa on the Emporia, see Plb. 31. 21. 1–8.

²⁴⁶ Plb. 3. 22. 8–9, 3. 24. 4, 3. 24. 11.

²⁴⁷ Plb. 1. 83. 7–10, 2. 8. 1–3; Harris (1979) 65, cf. 93–7; Crawford (1992) 115; Gruen (1984) 308–15, esp. 309–10. It is significant that the traders involved in Illyria are not even Roman as such, just Italian.

²⁴⁸ Cic. *Manil.* 11, cf. *II Verr.* 5. 149.

end of each of the side-exits. The great expressive possibility furnished by this structure lies in its ability to make the domestic space the battleground between representatives of the tendencies understood to exist to either side. And battle there is, for the ethical, rhetorical, and historical writing of both Greece and Rome insistently creates oppositional relationships between the two economic worlds, and comedy is peculiarly well placed to absorb these oppositions and make them central to its representation of society.

In a brilliant contribution, Antonio La Penna vindicates the study of topoi as a key to the historicist interpretation of Republican Roman literature and identifies the central importance of the figure of the *mercator*.²⁴⁹ I am only too aware that a large part of this chapter is little more than an extended footnote to this claim. In doing so, however, I trust that I have suggested ways in which comic themes can acquire new vigour and bite as they move from one culture and period to another. There can be little doubt that many of the deep themes which I have identified in the Plautine *Mercator* reflect the *Emporos* of Philemon and its intellectual world. Yet that same intellectual world is assimilated and recast by the contemporaries of Plautus in order to find ways to describe conflicts both internal to contemporary Roman society and with the broader Mediterranean world outside. For the historian of Roman culture it is in precisely this overlap between the activity of a Cato or a Censorinus and that of a Plautus or a Terence conducting their own negotiations with their Greek literary models that is to be found the most fertile ground for investigation.

²⁴⁹ La Penna (1978) 193–4.

Fatherhood and the Habit of Command: L. Aemilius Paullus and the *Adelphoe*

Introduction

In 160 BC Rome witnessed the funeral games of one of her most distinguished generals and statesmen: L. Aemilius Paullus Macedonicus, twice consul, censor, and conqueror of Perseus of Macedon at Pydna eight years earlier.¹ These games were organized by the two surviving sons of Paullus—P. Cornelius Scipio Aemilianus Africanus Minor and Q. Fabius Maximus Aemilianus—and were a noted celebration both of their affection for their father and of his achievements. Although it cannot be stated with certainty that the *Paullus* of Pacuvius was performed at these games, it seems highly likely.² Among the elements which the ancient sources do record are the appearance of an actor trained to reproduce the gestures and movements of Paullus himself,³ and the presence in the audience not just of Romans but also of Spaniards, Macedonians, and Ligurians, all intent on paying homage to the conqueror.⁴ Yet the factor which has most intrigued scholars and to which I propose to return in this chapter is the statement in the ancient didascalia to Terence that the funeral games witnessed the second performance of the *Hecyra* or *Mother-in-Law* and, most importantly, the première of the poet's last work: the *Adelphoe* or *Brothers*.

Nowhere do the content and performance context of a Roman comedy enter into so suggestive a relationship as in the case of the *Adelphoe*. Based on Menander's *Adelphoi B*, this drama describes the conflict between two elderly brothers and their relations with the two natural

¹ See esp. D.S. 31. 25. 1–2; Plu. *Aem.* 39. 6–9.

² Both Ribbeck (1875) 333 and Flower (1995) 186–7 suggest that the first production may have been held at putative triumphal games to celebrate victory at Pydna, but regard the funeral games of 160 BC as another obvious occasion for performance. Tandoi (1992a) argues strongly for the funeral games as the occasion for the first production.

³ D.S. 31. 25. 2.

⁴ Plu. *Aem.* 39. 7–8.

sons of the one brother, Demea. Of these two sons, one, Ctesipho, has been kept with him by his father and is being trained to a strenuous and self-denying existence in the countryside. The other, Aeschinus, has been given up for adoption by Demea's urban and self-consciously urbane brother, Micio, and is treated with considerably greater indulgence.⁵ Both Micio and Demea become spokesmen for their conflicting approaches to paternity and both are forced to come to terms with the partial failure of their systems: Demea falls victim to the rebellion and yearning for the high-life of Ctesipho, while Micio's confidence that an indulgent attitude will habituate a son to frankness is cast into question by the failure of Aeschinus to confess that the young Pamphila is pregnant by him and therefore to bring about the action necessary to make right her precarious situation. Few, however, have been satisfied with the suggestion that the end which the *Adelphoe* proposes is any bland compromise, and radically different views of which father may be said to win out have been advanced.

All of the above situations may be thought of as commonplaces of Greek and Roman New Comedy. Yet many are also peculiarly resonant of different aspects of the life of Paullus. In particular, the two sons who organized the funeral games had themselves been given up for adoption into the great aristocratic families whose names they bore.⁶ Moreover, Paullus himself emerges from Plutarch's account of his life as a most assiduous father and one whose educational policies embraced the world which he had conquered and in which he so contentedly moved. To the traditional Roman training was added a full Hellenic *paideia* replete with grammar, rhetoric, philosophy, and hunting, and, after the victory at Pydna, all that Paullus took for himself was a collection of books from the royal library at Macedon for the edification of his sons.⁷

When a father has taken such serious interest in the education of his sons, it may be thought a signal act of *pietas* for those sons to stage at his funeral a play in which education is so central a theme. For a father so concerned to offer his sons the best of Hellenic culture, it is no less appropriate an honour that that play should be one translated from the Greek. Yet, as my summary of the plot reveals, the *Adelphoe* dramatizes

⁵ Ter. *Ad.* 40–76.

⁶ Plu. *Aem.* 5. 5.

⁷ Plu. *Aem.* 6. 8–10, 28. 10–11, cf. Plin. *nat.* 35. 135 who refers to the acquisition by Paullus of the Athenian philosopher Metrodorus for the sake of his sons' education. Much of the evidence for the striking convergence between the plot of the *Adelphoe* and the life of Paullus is collected and intelligently discussed by Gratwick (1987) 21–5; (1999) 17–21.

a conflict and, if one or other of the modes of education represented may be said to reflect the values associated with Paullus himself, then its vindication will only finally be achieved through struggle.

In the introduction to this book, attention was drawn to Cicero's claim in the *Pro Roscio Amerino* that Eutychus, the rustic youth of the Caecilian *palliata*, is effectively identical with any young man from the fields of Veii, and that the Roman comic form, for all its Greek setting, emerges as an image of Roman life. In the ensuing argument, and again in Chapter 4, it was therefore argued that certain oppositions played out on the Greek New Comic stage inevitably speak to quite new concerns once translated into Latin and performed at Rome, and, in particular, that the Attic opposition between urban luxury and rural thrift implicitly speaks at Rome for the tensions between an authentic Italian identity which is fundamentally agrarian in conception and the role of the city as the locus of consciously Hellenic dissipation. The *Adelphoe* has much to say on this point.

Two crucial elements in the *Adelphoe* have been identified as closely paralleling contemporary Roman debate. First, just as the drama features conflicting interpretations of the appropriate way to raise young sons, so the Hellenic elements of the education supplied by Paullus were far from accepted by all. Notable here is the senatorial decree, passed only one year before the first performance of the *Adelphoe*, permitting the expulsion of Greek grammarians and rhetoricians should it be deemed to be in the interests of the state,⁸ a measure which many have linked with the strictures against Greek education contained in Cato the Elder's work *To his Son*.⁹ That Cato took the issue seriously may be inferred from the statement in Plutarch that he chose to educate his sons personally rather than hand them over to the Greek slave and experienced teacher Chilon;¹⁰ the title of the Varronian dialogue *Cato vel De Liberis Educandis* is also highly suggestive.¹¹ Second—and

⁸ Suet. *rhét.* 25, 1–2 with Kaster (1995) ad loc.; Gell. 15, 11, 1. See also Della Corte (1969) 113.

⁹ Cato *ad fil.* fr. 1 J = Plin. *nat.* 29, 14. See also Della Corte (1969) 113–14, 137.

¹⁰ Plu. *Cat. Ma.* 20, 5–6. Gruen (1984) 257 rightly observes that the most significant aspect of this story is the fact that there was a Greek teacher in Cato's household at all.

¹¹ For the fragments of this work, see Müller (1938). Note esp. Varro ap. Non. p. 155 L which must be the voice of Cato celebrating the toughness of his upbringing. Note how the speaker claims to have done without either wraps to stop his boots rubbing or a saddle to make his horse softer to ride: 'EPHIPPIUM, tegumen equi ad mollem vecturam paratum. Varro Cato vel de liberis educandis: "mihi puero modica una fuit tunica et toga, sine fasceis calciamenta, ecus sine ephippio, balneum non cotidianum, alveus rarus."'

here there is an important overlap with the issues raised in the previous chapter—it is surely significant that the figure of Demea should be so closely associated with the rustic and Micio with the urban life. And here too there is a Catonian dimension. Where, for instance, Demea is described by his brother as living thriftily and harshly (*parce ac duriter*), in the significantly entitled *De Suis Virtutibus* the proudly Sabine Cato claims that he spent his entire youth in thrift and hardship and industry tilling the Sabine fields (*ego iam a principio in parsimonia atque in duritia atque in industria omnem adulescentiam meam abstinui agro colendo saxis Sabinis silicibus repastinandis atque conserendis*).¹² Micio, meanwhile, by allowing his adoptive son to devote his youth to drink, courtesans, and the bashing down of doors, indulges tendencies which Polybius represents as both self-consciously Hellenic and immensely prevalent among the youth of Rome in the years immediately after the Macedonian War.¹³ In Micio's readiness to bear the costs of his son's riots, there may be something of the openhandedness attributed to Paullus by the historians;¹⁴ in the ready indulgence of subjectively 'Greek' ways may be seen a reflection of the man whose first reaction after conquering Macedonia was to head off on a grand tour of the cultural highlights of the Hellenic world,¹⁵ and who took considerable pride in the organization of authentically Greek games at Amphipolis in celebration

¹² Cato *ORF*³ fr. 128 = Fest. p. 350 L, cf. Plu. *Cat. Ma.* 25. 1 for the young Cato making his money by farming and thrift (γεωργίαι καὶ φειδοῖ). Lentano (1993) investigates the nexus of ideas summarized in claims to parsimony and harshness of life in Cato and at Plaut. *Most.* 149–56, *Truc.* 309–11; Ter. *Andr.* 74–9, *Ad.* 42–6. Lentano then points to the association of this way of life with the Spartans at Nep. *Alc.* 11. 4 and Iust. 23. 1. 7–8 and notes the claim at Cato *orig.* fr. 50 P = D.H. 2. 49. 2–5 and fr. 51 P = Serv. at Verg. *Aen.* 8. 638 that the Sabines are descended from Sabus the Spartan. All this is finally related to D.H. 2. 49. 5 and the suggestion that parsimony and harshness are both Sabine and, by extension, Spartan (πολλὰ τῶν νομίμων εἶναι Σαβίνων Λακωνικά, μάλιστα δὲ τὸ φιλοπόλεμόν τε καὶ τὸ λιτοδίαυτον καὶ παρὰ πάντα τὰ ἔργα τοῦ βίου σκληρόν). The claim, therefore, that the comic passages allude to a Catonian catchphrase and to the ideas underlying it is entirely convincing. For thrift and harshness in Terence, see also *Haut.* 435, 439, 441.

¹³ Plb. 31. 25. 2–8. The doorbreaking alleged by Demea at Ter. *Ad.* 88–9 ('fores ecfregit atque in aedis inruit | alienas') is one of the activities which Cic. *Cael.* 42 ('ne incurrat in alterius domum atque familiam') seeks to exclude from the category of acceptable youthful play, but Men. *Dysk.* 60, cf. Aristophon. *Iatr.* fr. 5. 5–6 K-A = Ath. 238B–C, and Antiph. *Prog.* fr. 193. 6 K-A = Ath. 238D–F reveal that it is also one of the services for which the young master of comedy can look to his parasite, while Antiph. fr. 236. 2–3 K-A = Stob. 4. 50^b. 61 represents freeing prostitutes and breaking doors as characteristics of the young master himself.

¹⁴ Plu. *Aem.* 4. 5 ἦν δὲ καὶ περὶ τὰλλα χρηματιστῆς ἀργότερος, εὐδάπανος δὲ καὶ ἀφειδῆς ἐκ τῶν ὑπαρχόντων. See also D.S. 31. 27. 1–2.

¹⁵ Plb. 30. 10; Liv. 45. 27. 5–28. 6; Plu. *Aem.* 28. 1–5. For the public dimension to this display of philhellenism, see Ferrary (1988) 553–6, cf. Gruen (1992) 245–8.

of his victory.¹⁶ It has even been suggested that the name Micio implies notions of smallness and puns translanguistically on the *cognomen* Paullus.¹⁷

This historicist interpretation of the *Adelphoe* is the theme of three important articles of the post-war period by Lana, MacKendrick, and Trencsényi-Waldapfel,¹⁸ and is embraced by Della Corte's almost contemporaneous study of Cato the Censor.¹⁹ All of these scholars are fully aware that Terence himself, by adapting the masterpieces of the Greek theatre for the Roman stage, participates in the Hellenization of Roman culture.²⁰ They also identify a pronounced prejudice in favour of the indulgent and implicitly philhellenic Micio and, in the case of MacKendrick and Trencsényi-Waldapfel, make connections between Micio and the biographical tradition of Paullus. Yet, for all that this approach seemed so pertinent and so cogent in the 1940s and 1950s, it goes dead soon after and is scarcely represented in any modern scholarship on the *Adelphoe*.²¹ Articles proliferate on the internal conflicts of the play and on its relationship to the Menandrian original, but the historicist interpretation appears to have lost all impetus. For this I believe that there are significant reasons. In order to revive this approach, it will therefore be necessary to embrace the very objections which seemed to undermine it. The results which emerge from this investigation should come to terms with the complexities not just of the drama and of history but also of Paullus himself.

¹⁶ Plb. 30. 14; Liv. 45. 32. 8–33. 6; Plu. *Aem.* 28. 7–9; Ferrary (1988) 560–5.

¹⁷ Gratwick (1987) 25, 228; (1999) 21, 178; Henderson (1999) 39.

¹⁸ Lana (1947); MacKendrick (1954); Trencsényi-Waldapfel (1957).

¹⁹ Della Corte (1969) is the revised and expanded 2nd ed. of a study published twenty years before. See esp. *ibid.* 112–13 and 137–9 for the assertion of a profound opposition in educational methods between Cato and Paullus; the complete identification of Micio with Paullus; and the claim that Ter. *Ad.* 859–61 constitutes Demea's acceptance of the failure of his educational methods.

²⁰ Note that Plb. 31. 25. 2–8 includes ἀκροάματα in his list of Hellenizing cultural choices.

²¹ Maróti (1960) continues the historicist approach and connects the conflict in the *Adelphoe* to similar problems of upbringing and father–son tensions in the *Bacchises*, *Mostellaria*, *Mercator*, and *Andria*. Some of the evidence adduced by Maróti is then put to excellent use in Lentano (1993). Pöschl (1975) 23 finds Trencsényi-Waldapfel's thesis not entirely implausible. Grimal (1982) urges the importance of the funeral and the desire of the sons to praise Paullus through Micio, and suggests attractively at 39–40 that the anxious wait of Micio for Aeschinus recalls the fears of Paullus for the potential loss of Scipio Aemilianus at Pydna, but—*pace* Ferrary (1988) 537 n. 42—the argument as a whole is methodologically dubious and inadequately documented.

Problems

The implicit objections which caused the quiet death of the historicist approach are multiple. First, it makes confident appeal to conceptions of a Scipionic circle, which further historical investigation has been unable to sustain, and to the identification of philhellenic and anti-hellenic movements in Roman aristocratic life which have turned out to be crudely simplistic.²² Second, and much more substantially, its central premise—the identification of Paullus with Micio and of Cato with Demea—flounders on the growing conviction that the close of the drama partially vindicates the principles underlying the method of Demea and exposes some basic flaws in the approach espoused by his brother.²³ With content and context apparently so firmly at odds, the functionalist interpretation of the *Adelphoe* as a vindication of the life and values of Paullus can be dismissed as bogus, and any parallels between the themes of adoption and education and the family history of the honorand acknowledged as strangely inert curios, then politely ignored.

The historicist approach to the *Adelphoe* is essentially a collateral victim of a rather different conflict. Crucial here is the impact on understanding of the drama first of the analytical scholarship of Rieth and Büchner,²⁴ then of their no less analytically inclined critics.²⁵ In each case what is at issue is the relationship of the *Adelphoe* to Menander's *Adelphoi B* and the degree to which the Roman version diverges from

²² See Astin (1978) 342; Ferrary (1988) 528–30; Gruen (1992) 224–6 with ample bibliography.

²³ Astin (1978) 342 regards this as a fundamental objection. Gratwick (1987) 24–5 acknowledges the parallels attested between Cato and Demea and then proceeds: 'But there are similarities between Micio and Paullus too: their names mean the same . . . both are notable for enlightened paternalism, fondness as fathers, and openhandedness. But we could hardly be meant to press *that* equation, for how could a play in pious memory of Paullus end with such forthright condemnation of his values? The problem unfortunately will not go away by our ignoring it.' Gratwick (1999) 17–19, 50–3 returns to this problem and relates it to possible Terentian adaptation of the closing scenes of the play. See also Gaiser's supplementary n. 130 at Rieth (1964) 130.

²⁴ Rieth (1964); Büchner (1974) is one last restatement of a position advanced repeatedly over twenty-five years. For bibliography to Büchner's contributions to the problem, see Tränkle (1972) 244 n. 13.

²⁵ Fantham (1971); Tränkle (1972); Lloyd-Jones (1973); Grant (1975). Johnson (1968) 172 nn. 2–4, 180 nn. 16–18, notes the contribution of analytical critics, particularly Rieth, but is primarily concerned with how Terence makes his own play work. It is hard to find recent partisans of Micio apart from Pöschl (1975) and Sandbach (1978) 138–40.

its Greek original. To both Rieth and Büchner, therefore, the Micio of vv. 1–854 is both an ideal model of paternity and, by extension, a faithful translation of the mild, consciously Aristotelian father first put on stage by Menander. Donatus, however, draws attention to one apparent divergence from Menander in the final lines of the play, and it is indeed this section of the drama which neither scholar feels able to reconcile with the apparent character of the *Adelphoi B*.²⁶ To Büchner, all but vv. 855–61 of the great monologue of Demea are a violation of the spectator's sense of justice towards Micio as hitherto presented in the play,²⁷ and the close of the drama no less offensively inconsistent with what has gone before.²⁸ The close is like a punch in the face and the man to deliver that punch can only be Terence himself.²⁹ Rieth, by contrast, is happy to attribute the monologue to Menander, but sees in it a genuine rejection of Demea's former life and desire to follow Micio and court favour instead;³⁰ this is therefore incompatible with the latter's claim at vv. 995–8 that his sudden conversion to openhandedness was only an act and one designed to expose the flaws in the approach to paternity which Micio has espoused.³¹ The final scene of the *Adelphoi B* cannot possibly have exposed our hero to such a rebuff.

The position adopted by Rieth, though undoubtedly more subtle than that of Büchner, is still not without flaw.³² Its importance for

²⁶ Don. at Ter. *Ad.* 938 'apud Menandrum senex de nuptiis non gravatur: ergo Terentius εὐρητικῶς'. The implication is that Micio does not resist marriage to Sostrata at this point in the *Adelphoi B*. Rieth (1964) 117–18 therefore argues that vv. 934–46 are a Terentian addition. The attempt of Dorey (1962) to connect this issue to Don. at Ter. *Ad.* pref. 3. 5 is undone by the misinterpretation of the crucial phrase 'et per eum multa in comoedia nova'. Arnott (1963) makes this point well, but see Arnott (1965) 260–1 for greater openness to the notion that some Terentian additions can be identified in the closing action of the play.

²⁷ Büchner (1974) 414–19. The distinction between vv. 855–61 and 862–81 is vitiated by its failure to take account of vv. 860–1, 're ipsa repperi | facilitate nil esse homini melius neque clementia'. Here already Demea's preoccupation is with what each man gets out of a given strategy, not its absolute moral or educational worth. 'clementia' is described at 415 as a consistently positive concept, but no reference is made to v. 864 'clemens placidus, nulli laedere os, adridere omnibus' where Micio is clearly described as a sycophant.

²⁸ Büchner (1974) 421–3.

²⁹ Büchner (1974) 422.

³⁰ Rieth (1964) 106–15.

³¹ Rieth (1964) 112, 120.

³² The crucial issue here is the relationship between Ter. *Ad.* 855–81 and 984–93. Rieth (1964) 112 appeals to Schadowaldt (1926) and the claim that no character in ancient drama uses a monologue in order to deceive the audience. Yet either Terence is unconcerned to observe this rule, in which case a counter-example to Schadowaldt's claim must immediately be admitted, or Rieth's interpretation of the contents of the monologue must be wrong. In particular, the claim that the monologue involves a sincere change of heart simplifies both what Demea says and the tone in which he says it. For precisely at the

the historicist approach with which I am concerned does not, however, depend on whether or not the version of Menander which it advances can carry conviction. Rather, it first concentrates attention on the conspicuous discomfort of Micio in the final scenes of the Terentian version of the play, a factor which Lana, MacKendrick, and Trencsényi-Waldapfel overlook. Second, and more important still, precisely by advancing a view at one with that of the historicists, namely that the Micio of vv. 1–854 is the unblemished model of progressive paternity, Rieth provokes a mighty backlash from others all too ready to find traces of imperfection from the start. These are essentially arguments within the world of analytical criticism, arguments which make scant reference to historical considerations and which are concerned only to find either the tell-tale inconcinnity which will betray the intervention of the Latin poet or the deep continuity which attests to the faithful rendition of the Menandrian original, but their effect is no less absolute for that. For, subjected to such uncomfortable scrutiny, Micio emerges as motivated as much by his own emotional needs as by any genuine educational principle;³³ self-deluding in the belief that he has trained his son to frankness;³⁴ incapable of observing the agreement he himself proposes to his brother and thus of avoiding any intervention in the affairs of Ctesipho;³⁵ all too ready to patronize the parsimony of his brother until finally made to realize that it is sometimes necessary to say no.³⁶ As for the admirable, high-spirited son whom he has raised, he is as scared as the Moschion of the *Samia* to confess to the

moment that Demea resolves to adopt the same means as Micio in an effort to win love for himself, he still expresses disgust at such behaviour and contempt for its educational consequences. Ter. *Ad.* 880, 'dando atque obsequendo', cf. Ter. *Andr.* 67–8, 'namque hoc tempore | obsequium amicos, veritas odium parit' prepares admirably for the final claim at vv. 987–8 that Micio acts 'non . . . ex vera vita neque adeo ex aequo et bono, | sed ex adstantando indulgendo et largiendo'; v. 880 thus already contains the reassertion of Demea's principles of childrearing which Grant (1975) 58–9 believes that the Greek original would have introduced at the equivalent of v. 888. Grant's analysis of the speech of Demea at 53–8 is otherwise excellent. So too the slightly more impressionistic account in Johnson (1968) 180–2.

³³ See esp. Ter. *Ad.* 35–9, 49–50. Quite how different Plautine and Terentian comedy can be is well illustrated by the treatment of the same theme in the speech of Demaenetus at Plaut. *Asin.* 64–73, 80–3.

³⁴ Ter. *Ad.* 52–4; Tränkle (1972) 245.

³⁵ Ter. *Ad.* 129–32, cf. 796–802; Fantham (1971) 974–5; Tränkle (1972) 246–7; Grant (1975) 48 n. 13. For a sympathetic account of Micio's behaviour in this respect, see Pöschl (1975) 10–11.

³⁶ Ter. *Ad.* 812–14, 830–5, cf. 952–5, 984–5; Fantham (1971) 974–5; Johnson (1968) 183–4.

consequences of the rape which he has committed and therefore as unready to remedy the position of his victim.³⁷

That the system of Demea has failed is manifest from the moment that Ctesipho sneaks into town in secret pursuit of the cithern-player. To the superior vantage point of the audience, the stern father is also the fool of comedy, eager to believe the best of his son because to do so is also to believe the best of his own principles of pedagogy.³⁸ Nor can Demea be allowed to go without some recognition of his error and some final adoption of a rather different approach: Ctesipho and Aeschinus must look to him in future for censure, correction, but also, where appropriate, for indulgence;³⁹ Ctesipho will be allowed this one girl if no other.⁴⁰ Yet the close of the drama is also unmistakably the vindication of much of what Demea represents. Where Micio has effectively usurped the role of the Menandrian prologue-speaker in order to present the situation at the start of the play as he perceives it, so Demea claims the final word for himself and reasserts the status of discipline and authority as the hallmarks of true paternity.⁴¹ It is therefore of the essence that Aeschinus, who has consistently seconded every indulgence proposed by Demea with an appeal to Micio as *pater*, should now use the same term for Demea and in order to acknowledge that the sons require the superior judgement of a father and cannot always think best for themselves.⁴² In such circumstances it is not difficult to understand why so many scholars have spoken of this as the 'triumph' of Demea.⁴³ Of triumphs there will be more to say later on in this chapter.

³⁷ Micio states at Ter. *Ad.* 150–3 that Aeschinus has lately expressed the wish to marry, but never suggests that he has even hinted at a particular choice of bride; hence the inconsistency alleged by Lefèvre (1969) 39–42 may be dismissed. At Ter. *Ad.* 333–4 we are told that he has been waiting until he is able to place the baby in his father's lap before asking his blessing. Is this good enough?

³⁸ This is the crucial point of the exchange with Syrus at Ter. *Ad.* 355–434, esp. 400–29.

³⁹ Ter. *Ad.* 994; Fantham (1971) 989.

⁴⁰ Ter. *Ad.* 996–7.

⁴¹ For a Menandrian defence of this approach to fatherhood, cf. Men. fr. 827 K-A = Stob. 4. 26. 4: ὁ σκληρότατος πρὸς υἱὸν ἐν τῷ νουθετεῖν | τοῖς μὲν λόγοις πικρός ἐστι, τοῖς δ' ἔργοις πατήρ. For views reminiscent of those of Micio, see Men. fr. 830–2 K-A = Stob. 4. 26. 11–13.

⁴² Ter. *Ad.* 927, 935, 936, 956, 982, cf. 995–6, 'tibi, pater, permittimus: | plus scis quid opus factost.' Pöschl (1975) 18–20 offers a different view of this final exchange, suggesting that Aeschinus is angling for his consent to Ctesipho's retention of the cithern-player and arguing that Ter. *Ad.* 997 'istuc recte' as interpreted by Don. ad loc. ('that, at least, is right') gives Micio the final word. For the surrender of the son to the authority of the father, see also Ter. *Haut.* 1055.

⁴³ Norwood (1923) 129; Thierfelder (1960) 110; Tränkle (1972) 249; Lloyd-Jones (1973) 282, 283; Martin (1976) 22; Goldberg (1986) 218; Gratwick (1999) 51.

Paullus Redivivus

It is evident that the traditional historicist approach to the *Adelphoe* cannot be sustained. There are, however, other ways to engage with the problem. For, just as fresh examination of the content of the play reveals insuperable inconcinnities with the assumed context of its performance, so that context is itself ripe for re-examination and Paullus for reinvention. Let me offer an example. Terence, *Adelphoe* 78–81 represents the entry of Demea:

MIC. sed estne hic ipsus, de quo agebam? et certe is est.
nescioquid tristem video: credo, iam ut solet
iurgabit. salvom te advenire, Demea,
gaudemus. DEM. ehem, opportune: te ipsum quaerito.

MIC. Ah, is that the man I was talking of? It is. He looks a bit glum. I suppose we shall now have the usual scolding. Glad to see you well, Demea.

DEM. Ah, well met! you're the man I'm hunting up.

Donatus' commentary on these lines offers the following intriguing observations:

SALVOM TE ADVENIRE DEMEA GAUDEMUS: ut asperior ostendatur Demea, etiam salutatur ab eo, quem obiurgaturus est.

GLAD TO SEE YOU WELL, DEMEA: that Demea may be revealed the harsher, he is even greeted by the man he is about to rebuke.

HEM OPPORTUNE TE IPSUM QUAERITO: melius quam Menander, quod hic illum ad iurgium promptiorem quam resalutantem facit.

AH, WELL MET! YOU'RE THE MAN I'M HUNTING UP: better than Menander, because this man makes him quicker to quarrel than he would be if he returned the greeting.

The implication of Donatus' comment is that Terence emphasizes the rebarbative character of Demea by making him omit the courteous return of Micio's greeting offered by his counterpart in Menander's *Adelphoi B*, and launch straight into the quarrel which he wishes to take up.⁴⁴ Trencsényi-Waldapfel exploits this small point of Terentian

⁴⁴ The issue is exploited throughout the play. At. Ter. *Ad.* 460–1, Demea offers a courteous greeting to Hegio ('salvere Hegionem plurimum | iubeo') but is as abrupt as ever with Micio at 720 ('te iamdudum quaero, Micio'). After Demea has resolved to adopt the manners of his brother at 877–81, the first experiment in such behaviour comes at

dramaturgy to intriguing effect.⁴⁵ Noting its tendency to accentuate the distinction between the behaviour of the two brothers, he relates this exchange to the following account of the behaviour of Paullus during his grand tour of Greece in the wake of victory at Pydna, Plutarch, *Aemilius Paullus* 28. 7–8:

θέας δὲ παντοδαπῶν ἀγώνων καὶ θυσίας ἐπιτελῶν τοῖς θεοῖς, ἐστιάσεις καὶ δειπνα προὔθετο, χορηγαί μὲν ἐκ τῶν βασιλικῶν ἀφθόνῳ χρώμενος, τάξιν δὲ καὶ κόσμον καὶ κατακλίσεις καὶ δεξιώσεις καὶ τὴν πρὸς ἕκαστον αὐτοῦ τῆς κατ' ἀξίαν τιμῆς καὶ φιλοφροσύνης αἰσθησιν οὕτως ἀκριβῆ καὶ πεφροντισμένην ἐνδεικνύμενος ὥστε θαυμάζειν τοὺς Ἕλληνας, εἰ μὴδὲ τὴν παιδιὰν ἄμοιρον ἀπολείπει σπουδῆς, ἀλλὰ τηλικαῦτα πράττων ἀνὴρ πράγματα, καὶ τοῖς μικροῖς τὸ πρόβλημα ἀποδίδωσιν.

He also held all sorts of games and contests and performed sacrifices to the gods, at which he gave feasts and banquets, making liberal allowances for them from the royal treasury, while in the arrangement and ordering of them, in greeting and seating his guests, and in paying to each one that degree of honour and kindly attention which was properly his due, he showed such nice and thoughtful perception that the Greeks were amazed, seeing that not even their pastimes were treated by him with neglect, but that, although he was a man of such great affairs, he gave even to trifling things their due attention.

Courteous greeting is thus the hallmark of Paullus as much as it is of Micio and one small element is added to the poet's identification of the two. Yet there is a catch. For Plutarch himself supplies a rather different view of Paullus when describing his relations with his fellow Romans. Recounting the early career of Paullus, Plutarch claims that he followed a different path to glory from that adopted by the other noble youths of his day, and then offers the following description of his ways, *Aemilius Paullus* 2. 6:

οὔτε γὰρ λόγον ἤσκει περὶ δίκας, ἀσπασμούς τε καὶ δεξιώσεις καὶ φιλοφροσύνας, αἷς ὑποτρέχοντες οἱ πολλοὶ τὸν δῆμον ἐκτῶντο, θεραπευτικοὶ καὶ σπουδαῖοι γενόμενοι, παντάπασιν ἐξέλιπε, πρὸς οὐδέτερον ἀφυῶς ἔχων, ὡς δ' ἑκατέρου κρείττονα τὴν ἀπ' ἀνδρείας καὶ δικαιοσύνης καὶ πίστεως δόξαν αὐτῷ περιποιούμενος, [οἷς] εὐθὺς διέφερε τῶν καθ' ἡλικίαν.

For he did not practise pleading private cases in the courts, and refrained altogether from the salutations and greetings and friendly attentions to which most men cunningly resorted when they tried to win the favour of the people

883–5, where he first offers an effusive greeting to Syrus, then comments in an aside on the progress of an approach so contrary to his nature.

⁴⁵ Trencsényi-Waldapfel (1957) 149.

by becoming their zealous servants; not that he was naturally incapable of either, but seeking to acquire for himself what was better than both, namely a reputation arising from valour, justice, and trustworthiness, he at once surpassed his contemporaries.

To greet or not to greet? To be a Micio or a Demea? To Plutarch, Paullus is at one time the proponent of *dexiosis*, at another its superior. The example may seem footling but it opens up an important line of inquiry. Are the old stories which we have been telling about Paullus too simple? Is there more than a little of Paullus in both the brothers and not just one?

Attention has already been drawn to the parallels between the harsh and parsimonious agrarianism of Demea and that of Cato the Elder. This is fundamental to Demea's outlook throughout the drama. When, for instance, he holds up Ctesipho as an example of moral rectitude for Aeschinus to follow, the young man's sober, thrifty life is explicitly also a rural one.⁴⁶ Faced with the realization that Ctesipho has indeed succumbed to urban temptations in the form of the cithern-player, Demea relishes the prospect of stripping her of her external charms by turning her into a farm-hand.⁴⁷ It is, moreover, crucial that Terence makes it quite clear that this is no longer a life to which Demea is bound by strict financial necessity. Rather, he cleaves to it, sticking remorselessly to the old ways, and permitting himself none of the pleasures which manifest prosperity might allow.⁴⁸ He lives like a pauper but to Hegio he is as rich, fortunate, and noble as his brother.⁴⁹ Had he no choice but to live this way, Demea's position would be less interesting. Precisely because he elects to do so, the rural life becomes an embodiment of values and central to his own self-fashioning.⁵⁰

The potential social resonances of this aspect of Demea's life are worthy of further consideration. For the *Adelphoe* thus features the crucial pattern in the relations of fathers and sons identified in the previous chapter and located in both Terence's comedy the *Heauton Timoroumenos* and the *Mercator* of Plautus.⁵¹ The crucial feature common to all

⁴⁶ Ter. *Ad.* 93–6.

⁴⁷ Ter. *Ad.* 845–52.

⁴⁸ Ter. *Ad.* 812–14, 866–71.

⁴⁹ Ter. *Ad.* 500–4. See also Rieth (1964) 61.

⁵⁰ There is a clear parallel to be drawn here with the statement of Knemon at Men. *Dysk.* 162–5 that he leaves one field untillied in order to avoid the company of those travelling on the road alongside. Absolute poverty would render such temperamental decisions impossible. For discussion, see Ch. 4, p. 101 n. 21.

⁵¹ See Ch. 4, pp. 142–3.

three comedies is the compression of profound change in a family's economic circumstances into the experience of one generation and the ability of the father, who is always represented as the bringer of wealth, both to remember constricting poverty and to lavish enabling riches on his family.⁵² The crucial source of conflict is therefore the father's tendency both to bring his son up as a young buck of the Attic leisure class and then berate him for the very abstention from labour which he has raised him to expect. Where many fathers of New Comedy are represented as forgetful of their sins, demanding standards of continence from their sons which they themselves conspicuously failed to demonstrate as youths, these fathers make a virtue out of the labour and self-denial which simple poverty imposed on them when young. In the case of the *Mercator*, the father Demipho contrasts his son's *otium* and costly attentions to a prostitute with his own hard labour in the fields and then at sea, and builds his moral authority by harking back to his own father's rural saws. In the *Heauton*, the road to riches is by mercenary service. When Clinia, damned for his *otium* and inappropriate love, seeks to prove himself to his father by taking the same path, Menedemus punishes himself by abandoning his urban luxury and taking to the fields of Halae.⁵³

I emphasize the prevalence of this pattern and the attendant inter-generational conflict it produces because of its peculiar resonance for a society coming to terms with dramatic change in its own economic circumstances in the years after the Second Punic War, a society where many could still remember or invent a more straitened past, and one where agricultural labour retained its special moral authority.⁵⁴ Pydna,

⁵² Gabba (1988) 71 hints at the perspective which I wish to adopt when he refers to the activities in comedy of youthful heirs to rapidly acquired fortunes on the same page that he stresses the drastic speed of change in Roman society from 250 to 150 BC. Plb. 1. 1. 5, 3. 1. 9, 3. 4. 2, 6. 2. 3 is gripped by the manner in which Rome rises from regional power to world dominance in the space of only 53 years.

⁵³ Rieth (1964) 17 n. 35, discussing Ter. *Ad.* 103–4, 'haec si neque ego neque tu fecimus, | non siit egestas facere nos' equates Micio with the mild father mindful of his own sins at Men. *Kith.* 59–60; Plaut. *Bacch.* 410, *Pseud.* 437; Ter. *Haut.* 217, and goes on to claim that it is irrelevant for the further development of the play whether Micio and Demea were rich or poor in their youth. Yet this is imprecise, for the fathers to whom Rieth refers have no experience of youthful poverty or the effort required to escape it. The luxury and leisure they grant their sons is therefore what they were themselves raised to expect. For Demea, Menedemus, and Demipho the thorn in their relations with their sons is the fact that they have nothing in their own experience to habituate them to the normality or desirability of youthful indulgence.

⁵⁴ Important here is Demea's celebration of Hegio at Ter. *Ad.* 439–42 as a boyhood friend and a rare example of the old virtues: 'vaha | homo amicus nobis iam inde a puero

moreover, marks a further crucial juncture in this process of dramatic enrichment: the booty brought back from the Macedonian campaign was sufficient to permit the abolition of direct taxation at Rome and the consequences are manifest in the sources.⁵⁵ When Polybius sets out his reasons for continuing his account beyond the victory at Pydna, a crucial factor which he identifies is the ensuing change in Roman private as well as public behaviour.⁵⁶ Some hint as to what he refers to may be found in his account cited earlier of the luxurious behaviour of the young contemporaries of Scipio Aemilianus.⁵⁷ The implication of the 161 BC *Lex Fannia* sumptuary legislation is that this very generation was perceived as corrupted by prosperity and must be restrained from modes of behaviour calculated to dissipate all that they had.⁵⁸ When there is so very much money coming into the state, it is far from obvious to many why they should bother to save.⁵⁹

It is perhaps not insignificant that the *Lex Fannia* was passed only one year before the première of the *Adelphoe*. Here, it is Micio who at one

(o di boni, | ne illius modi iam magna nobis civium | paenuriast), homo antiqua virtute ac fide! Rieth (1964) 72 observes a potential Roman note in these lines but n. 108 cites D. 25. 31 as a parallel. It might be replied that, even if these lines are pure Menander, they acquire entirely new resonances when performed in the Rome of 160 BC.

⁵⁵ Cic. *off.* 2. 76; Plin. *nat.* 33. 56; Plu. *Aem.* 38. 1; Harris (1979) 71.

⁵⁶ Plb. 3. 4. 6: πρὸς δὲ τούτοις τὰς ὁρμὰς καὶ τοὺς ζήλους ἐξηγητέον, τίνες παρ' ἐκάστοις ἐπεκράτουν καὶ κατίσχυνον περὶ τε τοὺς κατ' ἰδίαν βίους καὶ τὰς κοινὰς πολιτείας. Plb. 1. 7. 7–8 perhaps hints at what is to come when he describes the envy of the Romans at the outset of the First Punic War for the private prosperity of the people of Rhegium. Plb. 9. 10. 13 has the Romans decorating their private domains (τοὺς αὐτῶν ... βίους) with works of art plundered from the cities of the Magna Graecia.

⁵⁷ See above n. 13 on Plb. 31. 25. 2–8.

⁵⁸ Gell. 2. 24. 3–6; Macr. *Sat.* 3. 17. 3–5; Gabba (1988) 37–41; Gruen (1992) 304–6.

⁵⁹ Gell. 2. 24. 1 describes the sumptuary laws of the 2nd cent. and onwards as evidence of the *parsimonia* of the Romans of old, but what is evidently at issue is the need to reimpose a parsimony believed once to have existed and now ignored. Note esp. Macr. *Sat.* 3. 17. 5 explaining that the *Lex Fannia*'s restriction on the amount to be spent at one meal superseded the *Lex Orchia*'s simple restriction on the number of diners because it was quite legal under the terms of the original law to consume ('consumere') all one's property over a few guests. The use of the verb *consumere* here corresponds to the notion as old as Hom. *Od.* 1. 375 that one may consume one's property precisely by lavishing it on fine meals. Examples of such prodigality are listed at Ath. 165D–169B and a number of passages cited from comedy which feature the eating up of wealth. See esp. Alex. *Knid.* fr. 110 K-A = Ath. 165D with Arnott (1996) ad loc.; Men. *Org.* fr. 264 K-A = Ath. 166A, *Nauk.* fr. 247 K-A = Ath. 166B–C; Anaxandr. *Ter.* fr. 46 K-A = Ath. 166D. For Latin *comedere* employed to express the same idea and the large number of prodigals prominent on the Roman comic stage, see Plaut. *Bacch.* 742–3, *Most.* 11–12, *Trin.* 360, 406–10, 416–17, 747–55; Titin. *com.* 15–16 = Non. p. 114 L, 144 = Non. p. 627 L; Nov. *com.* 1 = Non. p. 115 L. Note also the plan to consume the wealth of Thraso at Ter. *Eun.* 1086–7.

point in his life has found himself unexpectedly wealthy.⁶⁰ He presents himself to his brother as quite blasé about the cost of his adoptive son's dissipation and confident that there is plenty left with which to settle the bill, though a subsequent monologue suggests that he too has begun to resent the costs.⁶¹ Demea, by contrast, has become wealthy by the slow but stable means endorsed by Cato in the preface to the *De Agri Cultura*.⁶² And just as Cato will proclaim in the *Ad Filium* that it is the mark of a widow to leave a smaller patrimony than she has inherited, and adds elsewhere that the man who leaves more wealth than he inherited is admirable, even divine, so Demea saves insistently and sets himself the one goal of leaving his sons a sizeable inheritance.⁶³ When finally he quips that any poverty consequent on the new plan to outdo Micio matters least to him because he is the eldest, he reveals through its denial precisely the sense of responsibility to subsequent generations which has been the hallmark of his behaviour.⁶⁴ The only way in which Aeschinus and Ctesipho can follow his example is to ensure that their sons enjoy an even better start in life.

The association of Cato and Demea is therefore built on something more profound than the simple fact of living and working in the countryside; what matters just as much is their shared attitude to the acquisition and the conservation of wealth. Yet here too a number of complications must perforce be acknowledged. First, for anyone seeking to complicate received conceptions of the figure of Paullus, it would be curmudgeonly not to acknowledge the important work done by Gruen in questioning the cliché of Cato's cultural conservatism and strident antihellenism.⁶⁵ Nor has it gone unnoticed by critics of the *Adelphoe* that the Rome of the late 160s BC had been confronted with striking evidence of a rather different Cato. Plutarch himself refers to his less rigorous behaviour in age,⁶⁶ and so marked was this apparent

⁶⁰ Ter. *Ad.* 815, 'quae praeter spem evenere'.

⁶¹ Ter. *Ad.* 117–22, esp. 122, 'est unde haec fiant, et adhuc non molesta sunt', cf. 141–54, esp. 149–50, 'quam hic non amavit meretricem? aut quoi non dedit | aliquid?'

⁶² Ter. *Ad.* 45–6, 866–9; Cato *agr.* pref. 1–4. For discussion of the preface to the *De Agri Cultura*, see pp. 148–52. For this passage and potential links to agrarianism in comedy, see also Della Corte (1969) 135. Maróti (1960) 325 compares Cato *ad fil.* fr. 6 J 'vir bonus, Marce fili, colendi peritus, cuius ferramenta splendent' = Serv. at Verg. *Aen.* 1. 46.

⁶³ Cato *ad fil.* fr. 12 J and *dict.* fr. 42^a J = Plu. *Cat. Ma.* 21. 8, *agr.* 2. 7, *ORF*³ fr. 167 = Gell. 6. 3. 37 and Plu. *Cat. Ma.* 25. 1, cf. Ter. *Ad.* 812–14, 866, 868–9. See also Maróti (1960) 333, cf. Rieth (1964) 129–30 discussing Plb. 31. 26.

⁶⁴ Ter. *Ad.* 881.

⁶⁵ Gruen (1992) 52–83, cf. Ferrary (1988) 539.

⁶⁶ Plu. *Cat. Ma.* 25. 3.

tendency that it resulted in Cato's 164 BC prosecution on a charge of luxury.⁶⁷ It may be noted that one of the censors for this year was L. Aemilius Paullus, and that the prosecution was unsuccessful.⁶⁸

Second, and much more significant, the justifiable tendency to make connections between Cato and Demea can risk further falsification of the character of Paullus in order to make him resemble a Micio. Attention was earlier drawn to the equation which some have suggested between Micio's persistent reassurance of Demea, that he can afford to sustain the costs incurred by the licence of Aeschinus and is unconcerned at doing so, and the statement in Plutarch that Paullus was free-spending and unstinting of his resources.⁶⁹ Yet this statement emerges in the context of Plutarch's account of the campaign of Paullus in Spain and the claim that he returned from the province not one drachma richer than before he reached it.⁷⁰ Polybius says much the same of the conduct of Paullus in Macedon,⁷¹ and, when both he and Plutarch emphasize the meagreness of the estate which Paullus left at his death, it is clear that this is a mark of honour, not proof of irresponsible extravagance.⁷² Indeed, in his refusal to enrich himself at the expense of a province and by extension of the state, Paullus recalls the very behaviour Cato celebrated in his own Spanish campaign.⁷³ To Plutarch, Cato is a figure out of his own time.⁷⁴ So too Paullus to Polybius.⁷⁵

The surprisingly Catonian tendencies apparent in many aspects of the historical Paullus go further still. Although there is no suggestion that Paullus himself got busy with a mattock or retreated to the land, much may be inferred from the husbands he chose for his daughters. Plutarch, *Aemilius Paullus* 5. 6–10 offers the following account:

τῶν δὲ θυγατέρων τῶν Αἰμιλίου τὴν μὲν ὁ Κάτωνος υἱὸς ἔγημε, τὴν δ' Αἴλιος Τουβέρων, ἀνὴρ ἄριστος καὶ μεγαλοπρεπέστατα Ῥωμαίων πενίαι χρησάμενος. ἦσαν γὰρ ἑκκαίδεκα συγγενεῖς, Αἴλιοι πάντες· οἰκίδιον δὲ πάνυ μικρόν [ἦν]

⁶⁷ Cato *ORF*³ fr. 173–5.

⁶⁸ For Cato prosecuted forty-four times but never convicted, see Plin. *nat.* 7. 100.

⁶⁹ See above p. 161 n. 14.

⁷⁰ Plu. *Aem.* 4. 4.

⁷¹ Plb. 18. 35. 4–8.

⁷² Plb. 18. 35. 6, cf. Plu. *Aem.* 39. 5; Val. Max. 4. 4. 9. Crawford (1992) 75 observes that Paullus left an estate to the value of 360,000 denarii at a time when the probable annual wage of a legionary was 108 denarii. Poverty is relative.

⁷³ Cato *ORF*³ fr. 51–5.

⁷⁴ Plu. *Comparison of Cato and Aristides* 1. 3.

⁷⁵ Plb. 18. 35. 1–3. See also Gruen (1984) 290–1, 348.

αὐτοῖς, καὶ χωρίδιον ἐν ἥρκει πᾶσι, μίαν ἐστίαν νέμουμε μετὰ παίδων πολλῶν καὶ γυναικῶν. ἐν αἷς καὶ ἡ Αἰμιλίου τοῦδε θυγάτηρ ἦν, δις ὑπατεύσαντος καὶ δις θριαμβεύσαντος, οὐκ αἰσχυνομένη τὴν πενίαν τοῦ ἀνδρός, ἀλλὰ θαυμάζουσα τὴν ἀρετὴν δι' ἣν πένης ἦν. οἱ δὲ νῦν ἀδελφοὶ καὶ συγγενεῖς, ἃν μὴ κλίμασι καὶ ποταμοῖς καὶ διατειχίσμασιν ὀρίσωσι τὰ κοινὰ καὶ πολλὴν εὐρυχωρίαν ἐν μέσῳ λάβωσιν ἀπ' ἀλλήλων, οὐ παύονται διαφερόμενοι. ταῦτα μὲν οὖν ἡ ἱστορία λογιζέσθαι καὶ παρεπισκοπεῖν δίδωσι τοῖς σώζεσθαι βουλομένοις.

Of the daughters of Aemilius, one became the wife of the son of Cato, and the other of Aelius Tubero, a man of the greatest excellence, and one who, more than any other Roman, combined the greatest dignity with poverty. For there were sixteen members of the family, all Aelii; and they had a very little house, and one little farm sufficed for all, where they maintained one home together with many wives and children. Among these wives lived also the daughter of that Aemilius who had twice been consul and twice had celebrated a triumph, and she was not ashamed of her husband's poverty, but admired the virtue that kept him poor. Brothers and kinsmen of the present day, however, unless zones and rivers and walls divide their inheritances and wide tracts of land separate them from one another, are continually quarrelling. These, then, are considerations and examples which history presents to those who wish to be saved.

The marital association with Cato is significant in itself.⁷⁶ More intriguing, however, is that with Aelius Tubero. The impoverished virtue of the Aelii, and the marriage of Q. Aelius Tubero to the daughter of Paullus, are also recorded in every detail by Valerius Maximus, and here too their position of honour in the state is attested as evidence of its virtuous disposition in this period.⁷⁷ Yet there is also the suggestion that the virtuous poverty of the Aelii could mutate into a more than Catonian zeal and excess. In his speech *Pro Murena*, Cicero first teases the remorselessly moralistic Cato the Younger with the suggestion that he might season his virtue with some of the charm of his ances-

⁷⁶ Astin (1978) 341 stresses this point. See also Maróti (1960) 328–9; Della Corte (1969) 70–1; Kienast (1954) 112; Ferrary (1988) 527–8, 531–9, esp. 533. For this marriage, see Plu. *Cat. Ma.* 20. 12, who places it after the service of the young Cato in the Macedonian campaign. For the heroics of the son in order to recover his sword at Pydna, see p. 65 n. 28. The discharge granted the son to which Cato the Elder refers in a letter quoted at Cic. *off.* 1. 37 may be assumed to have been honourable.

⁷⁷ Val. Max. 4. 4. 8–9. For the living arrangements of the Aelii as an example of the archaic familial 'consortium' formed at the death of the father, see Gabba (1988) 35–6, cf. Crook (1967) 117–18. For the 5 pounds of silver given to Q. Aelius Tubero by Paullus from the Macedonian booty as the first ever to enter his house, see also Plu. *Aem.* 28. 11–13; Plin. *nat.* 33. 142.

⁷⁸ Cic. *Mur.* 66. The joke exploits the sense that M. Porcius Cato was singularly lacking in charm.

tor,⁷⁸ then attests the example of Q. Aelius Tubero, son of the son-in-law of Paullus and devoted Stoic, who, when charged with giving a feast to the people in honour of Scipio Aemilianus, covered Punic couches with goatskins and set out Samian ware instead of silver.⁷⁹ Where before the virtue of the Aelii saw them elected to public office in spite of their poverty, here Q. Aelius Tubero paid the price for his ill-timed 'wisdom' by losing the election for praetor.⁸⁰ The implication is that successive generations of Aelii embraced a flamboyantly rigorous moralism and self-denial, and gained, or hoped to gain, electoral advantage from the reputation which they thus acquired.⁸¹ For Paullus to marry his daughter to an Aelius is both to express approbation of this position and to seek association with it.

Fathers, Generals, and Two Triumphs

If the historicist interpretation of the *Adelphoe* floundered on the apparently insuperable discontinuity between content and context, the foregoing section of this argument has endeavoured to make good some of the damage by reinventing some of the assumed context. If the Paullus who emerges displays paradoxically conservative and Catonian tendencies, it may be recalled that he was also noted for his signal dedication to Roman religious tradition,⁸² and that the Hellenic education of his sons to which he devoted himself with such zeal was combined with the native and inherited formation which he himself had received.⁸³ In the section which follows, I wish to build on this approach in order to investigate one of the most interesting metaphors in the *Adelphoe* and to relate it to one of the greatest dramas of the career of Paullus.

⁷⁹ For the Stoicism and close association with Panaetius of Q. Aelius Tubero, see esp. Cic. *Brut.* 117, *de orat.* 3. 87, *ac.* 135, *fin.* 4. 23, *Tusc.* 4. 4, *off.* 3. 63. Ath. 274C–E claims that the three Stoics Q. Aelius Tubero, Mucius Scaevola, and P. Rutilius Rufus were the only Romans to observe sumptuary laws, but then cites examples of how they exploited laws setting the maximum amount to be spent on a meal in order to drive down the prices which the tenant farmers on their estates might charge them for various luxuries. This might make one wonder quite how small was that one small house and one small farm into which Plutarch and Valerius have the family crammed.

⁸⁰ Cic. *Mur.* 75–6; Val. Max. 7. 5. 1; Sen. *epist.* 95. 72, 98. 13.

⁸¹ See esp. Cic. *Brut.* 117 for the younger Q. Aelius Tubero as 'vita severus et congruens cum ea disciplina quam colebat, paulo etiam durior'.

⁸² Plu. *Aem.* 3. 2–5, 6. 8.

⁸³ Plu. *Aem.* 6. 8. See also Astin (1978) 342; Ferrary (1988) 537–8. Kienast (1954) 103 notes the Roman element in the education of the sons but still represents Paullus as an out-and-out philhellene.

Terence, *Adelphoe* 38–77 forms the majority of the extended soliloquy with which Micio opens the drama. Having expressed his anxieties at the failure of Aeschinus to return, Micio first states his affection for his adopted son, and then outlines the nature of his quarrel with Demea and the differences between their approaches to fatherhood:

MIC. vah quemquamne hominem in animo instituere aut
parare quod sit carius quam ipsest sibi!
atque ex me hic natus non est sed ex fratre. is adeo
dissimili studiost iam inde ab adulescentia:
ego hanc clementem vitam urbanam atque otium
secutus sum et, quod fortunatum isti putant,
uxorem⁸⁴ numquam habui. ille contra haec omnia:
ruri agere vitam; semper pace ac duriter
se habere; uxorem duxit; nati filii
duo: inde ego hunc maiorem adoptavi mihi;
eduxi a parvulo; habui; amavi pro meo;
in eo me oblecto, solum id est carum mihi.
ille ut item contra me habeat facio sedulo:
do praetermitto, non necesse habeo omnia
pro meo iure agere; postremo, alii clanculum
patres quae faciunt, quae fert adulescentia,
ea ne me celet consuefeci filium.
nam qui mentiri aut fallere institerit⁸⁵ patrem aut
audebit, tanto magis audebit ceteros.
pudore et liberalitate liberos
retinere satius esse credo quam metu.
haec fratri mecum non conveniunt neque placent.
venit ad me saepe clamitans ‘quid agis, Micio?
quor perdis adulescentem nobis? quor amat?
quor potat? quor tu his rebus sumptum suggeris,
vestitu nimio indulges? nimium ineptus es.’
nimium ipse durust praeter aequomque et bonum,
et *errat longe mea quidem sententia,*
qui imperium credat gravius esse aut stabilius
vi quod fit quam illud quod amicitia adiungitur.
mea sic est ratio et sic animum induco meum:
malo coactus qui suum officium facit,
dum id rescitum iri credit, tantisper cavet⁸⁶;

⁸⁴ ‘uxorem, numquam’ *L-K* gives a radically different sense, implying that what the others consider fortunate is the taking of a wife. See Martin (1976) ad loc. for a detailed discussion of the problem.

⁸⁵ ‘institerit’ *L-K, Martin*; ‘insuevit’ *LpV*; ‘insuet’ *D*’; *cett.* ‘insuerit’.

⁸⁶ ‘cavet’ *Donat., L-K, Martin*; ‘pavet’ *A*.

si sperat fore clam, rursum ad ingenium redit.
 ille quem beneficio adiungas ex animo facit,
 studet par referre, praesens absensque idem erit.
 hoc patrumst, potius consuefacere filium
 sua sponte recte facere quam alieno metu:
*hoc pater ac dominus interest. hoc qui nequit
 fateatur nescire imperare liberis.*

MIC. Bah! why should a man take it into his head to procure a thing to be dearer to him than his own self? Yes, and this lad isn't my own son but my brother's. My brother's bent has differed from mine right away from boyhood. I have led this easy life of town without a calling and, a thing which they call a blessing, without even taking a wife. His career has been the very opposite. He has passed his days in the country, always lived a sparing and hard life, married, and had two sons. The elder of them I have adopted. I have brought him up from his childhood, regarded him and loved him as my own son. In that is the joy of my life, the one thing I hold dear. I am zealous that he should show the same spirit towards me. I give him money, overlook his peccadilloes, don't feel compelled to exercise full authority over him. In fact, whereas other sons hide their youthful pranks from their fathers, I have trained my son not to keep a secret from me; for if a lad has begun or brings himself to meet his father with falsehoods or tricks, all the more will he so meet others. In my view honour and gentlemanly feeling are better curbs on children than fear. My brother and I disagree in this, he is quite against this view. He comes to me perpetually, crying 'What are you about, Micio? Why are you bringing the boy to ruin on our hands? Why this licence? Why these drinking parties? Why do you pile him up the money for such a life and let him spend so much at the tailor's? It's extremely silly of you.' He himself is extremely hard, past right and sense, and in my opinion it's a great mistake to suppose that the authority which is founded on force has more weight and stability than that which hangs by the link of friendliness. My system, my theory, is this: he who does his duty under the lash of punishment watches out as long as he thinks that misdemeanours will be found out; if he thinks he won't be found out, back he goes to his natural bent. When you link a son to you by kindness, there is sincerity in all his acts, he sets himself to make a return, and will be the same behind your back as to your face. That's the spirit of a true father, to accustom his son to do right rather by his own inclination than by fear of another, and that's the difference between the parent of sons and the owner of slaves. A man who can't do this should admit that he doesn't know how to rule children.

The passages which I have italicized are striking for the system of analogy which they introduce. In particular, vv. 65-7 and 76-7 twice describe the relationship of father to son in terms of *imperium* while v. 42

describes the life of Micio in terms of *clementia*, a characteristic which Demea will later attribute to him at vv. 861 and 864. I describe this as a system of analogy rather than as a metaphor because the notion of paternal *imperium* over children and other family members is actually widespread in Plautus and can be paralleled in the prose of Cato, and it would therefore be rash to assume that the language of *imperium* is non-metaphorical when describing the power of a general over soldiers and metaphorical in a familial context.⁸⁷ However, it will be noted that the distinction between a father and a slave-master at vv. 76–7 itself invites us to think through the nature of different sorts of *imperium*, while Martin must be right to identify a pun on children/free men in Micio's closing statement that one who does not follow his methods should confess that he does not know how to *imperare liberis*.⁸⁸ To the extent that being a son, like being a soldier, exposes an otherwise free man to the servile experience of absolute subjection to the authority of another, both positions cannot but be problematic within the complex web of Roman power relations.⁸⁹

Yet this is surely also an instance where the performative context of the play cannot but suggest a more particular significance to the pun. For L. Aemilius Paullus was not just a father with a very particular approach to fatherhood but also a general with equally distinctive attitudes to generalship and provincial administration. That his conduct in the latter capacity might invite comparison with the clement life

⁸⁷ For paternal *imperium* in comedy, see Plaut. *Amph.* 991–2 with Christenson (2000) ad loc., *Bacch.* 459, *Persa* 343, *Stich.* 141 with Petersmann (1973) ad loc., *Trin.* 300–4; Ter. *Phorm.* 232–3, *Haut.* 828, 1055. Plaut. *Asin.* 147 'tuo facit iussu, tuo imperio paret: mater tu, eadem era es', cf. 505, 509 refers to the maternal *imperium* of the procuress Cleareta over her daughter. For maternal *imperium* and the threat of prostitution, see also Ter. *Haut.* 232–4. For the husband's *imperium* over his wife, see Ter. *Haut.* 635, cf. Cato *ORF*³ fr. 221 = Gell. 10. 23. 4.

⁸⁸ Martin (1976) ad loc.

⁸⁹ For the master's *imperium* over his slaves, see Plaut. *Amph.* 262, 622, *Aul.* 588, 599, *Men.* 980, *Pseud.* 1103. That military service is a form of slavery is already claimed at Apollodorus (Carystius an Gelous incertum) *Paid.* fr. 10 K–A = Stob. 4. 12. 2, cf. *Men.* *Haut.* fr. 82 K–A = Stob. 3. 39. 11. At Rome the claim is prominent in the complaints of soldiers at Liv. 3. 10. 10, 4. 58. 12, 5. 2. 4 and 8–12, 6. 27. 7, 7. 13. 9 infuriated by their prolonged detention at the wars. Greenberg (1979–80) 235 refers to a 'nascent sociological analysis' in the speech of Micio. Rieth (1964) 18–19 analyses this passage in terms of Arist. *EN* 1160^b22–30, where the rule of a king is equated with that of a father over sons, and the rule of a tyrant with that of a master over slaves. This is a significant parallel but more important for the Menandrian original which Rieth lovingly reconstructs. Yet Terence writes in Latin and for a Roman audience, and his terms cannot but invoke specifically Roman experiences of power relations, a fundamental part of which is the soldier's subjection to the *imperium* of his general.

of Micio is implicit in the claim that Ligurians, Spaniards, and Macedonians flocked to his funeral.⁹⁰ For all that Paullus toppled Perseus of Macedon from his throne, he is also celebrated for his generosity to the fallen ruler, and this action eventually finds its way into Valerius' collection of examples of humanity and clemency.⁹¹ It will be noted, however, that Plutarch makes no reference to the presence of the people of Epirus at the funeral.⁹² Nor does he refer to the general's former troops. And in investigating the cause of this latter omission, we may again find grounds to question the equation which this metaphor appears to invite.

The potential importance of the equation of fatherhood with generalship does not escape Trencsényi-Waldapfel.⁹³ To this scholar, the model for harsh generalship is Cato the Elder and his assault on the free-spending laxity with which Scipio Africanus maintained his troops prior to the African campaign of the Second Punic War.⁹⁴ The consistent implication of Cato's denunciation of *truphe*, theatres, and palaestrae, and of his accusation that Scipio acts more like the manager of a festival than a general, is that he and his troops have gone Greek. Livy's account of the same affair suggests much the same.⁹⁵ From this Trencsényi-Waldapfel infers that Micio in his simple bourgeois life displays the same serene humanism towards his sons as Scipio towards his troops and that he finds himself opposed to Demea as Scipio was to Cato.⁹⁶ MacKendrick likewise contributes to this approach when

⁹⁰ Plu. *Aem.* 39. 7–8.

⁹¹ Val. Max. 5. 1. 8. For the generosity of Paullus to the defeated Perseus, see also D.S. 30. 23. 1–2, 31. 8. 4, 31. 9. 4; Zonar. 9. 23. Tandoi (1992a) argues that this episode featured in the *Paullus* of Pacuvius.

⁹² For the plunder of Epirus, see esp. Liv. 45. 34. 1–9; Plu. *Aem.* 29. 1–30. 1; Str. 7. 3. The conduct of Paullus appears to be censured at D.C. 20. 67. 2. For Epirus as a problematic moment in the career of Paullus, see esp. Ferrary (1988) 527–8, 547–51; Gruen (1984) 268.

⁹³ Trencsényi-Waldapfel (1957) 153. Inasmuch as it covers the experience of children as much as it does that of soldiers, *disciplina* is a key concept and will be prominent in the ensuing argument. It is worth noting that Cato *mil.* fr. 1 J = Plin. *nat.* pref. 20 and 7 J = Veg. *mil.* 1. 15 refer to this work under the title 'de disciplina militari'. For *disciplina militaris* and Roman power, see esp. Oakley (1988) at Liv. 8. 7. 16. For military training equated with *παιδεία*, see Anon. *Bibl. Takt.* 30 ed. Vari. For *disciplina domestica* and the Roman father's training of his sons, see Cic. *Cael.* 11, *Tusc.* 2. 27; Val. Max. 2. 1. 10; Bonner (1977) 10–14; Marrou (1965) 344–5. Note also Ter. *Ad.* 766–7 'illud sis vide: | exemplum disciplinae!' for Demea scandalized at the drunkenness of Syrus—Micio can no better command his slave than he can his son.

⁹⁴ Plu. *Cat. Ma.* 3. 4–7.

⁹⁵ Liv. 29. 19. 11–13; Val. Max. 3. 6. 1.

⁹⁶ Trencsényi-Waldapfel (1957) 153.

he quotes Micio at *Adelphoe* 98–9 on the consummate injustice of the stupid man, who thinks nothing right unless he himself has done it, and compares this to Livy 44. 22. 11 and Paullus' statement before the people that the general who acts only on his own advice is arrogant and not wise.⁹⁷

The approach adopted by Trencsényi-Waldapfel is revealing. Although he, more than any other, sees the fundamental importance of Paullus for the *Adelphoe*, and structures his account of the conflict between Micio and Demea in terms of a perceived opposition between Paullus and Cato, when the issue of generalship is raised, the text which best demonstrates contestation between harsh and lenient approaches is one in which Paullus does not feature at all.⁹⁸ MacKendrick, meanwhile, though he does at least quote one small piece of material relating directly to Paullus, supplies the bare minimum of context for the general's words, and otherwise ignores the matter. And yet there is a wealth of rich and fascinating material on Paullus the general. The problem, needless to say, is that it scarcely bolsters the identification which our critics seek to propound.

Plutarch describes the character of the generalship of Paullus early on in his life. Notable here are the suggestion that he sought to bolster the same ancestral discipline which Cato accused Scipio of undermining, the historian's emphasis on his refusal to win favour or a second command by indulging his troops, and the reference to the strict discipline which Paullus maintained. Yet perhaps most significant of all is the final claim that Paullus regarded victory over the enemy as little more than an accessory to the education, the *paideia*, of the citizens, Plutarch, *Aemilius Paullus* 3. 6–7:

ὅμοιον δὲ καὶ τῶν στρατιωτικῶν ἐθῶν τε καὶ πατρίων ἐξεταστὴν καὶ φύλακα παρείχεν ἑαυτόν, οὐ δημαγωγῶν ἐν τῷ στρατηγεῖν, οὐδ', ὥσπερ οἱ πλείστοι τότε, δευτέρας ἀρχὰς ταῖς πρώταις μνώμενος διὰ τοῦ χαρίζεσθαι καὶ πρᾶιός εἶναι τοῖς ἀρχομένοις, ἀλλ' ὥσπερ ἱερεὺς [ἄλλων] ὀργίων δεινῶν, τῶν περὶ τὰς στρατείας ἐξηγούμενος ἕκαστα, καὶ φοβερός ὢν τοῖς ἀπειθοῦσι καὶ παραβαίνουσιν, ὥρθου τὴν πατρίδα, μικροῦ δεῖν πάρεργον ἡγούμενος τὸ νικᾶν τοὺς πολεμίους τοῦ παιδεύειν τοὺς πολίτας.

Furthermore, he showed a like severity in scrutinizing and preserving his country's military customs and traditions also, not courting popular favour

⁹⁷ MacKendrick (1954) 32–3.

⁹⁸ Note, however, the arguments of Ferrary (1988) 535–6 that, as the youthful brother-in-law of Scipio Africanus, Paullus may well have accompanied the commander to Sicily and on to Africa.

when he was in command, nor yet, as most men did at this time, courting a second command during his first by gratifying his soldiers and treating them with mildness; but, like a priest of other dread rites, he explained thoroughly all the details of military custom and was a terror to disobedient transgressors, and so restored his country to her former greatness, considering the conquest of his enemies hardly more than an accessory to the education of his fellow-citizens.

The phrasing is suggestive. When Plutarch describes Cato's anger at Scipio's erosion of the traditional frugality (*patrios euteleia*) of the troops, paternity is a dead metaphor.⁹⁹ When, however, the same adjective is used as a substantive to connote the traditions which Paullus upholds in the same paragraph as that in which it is stated that he undertakes the *paideia* of his fellow-citizens, there is a much clearer sense of the relationship of Paullus to his troops being that of a father to his sons.

The various claims made here by Plutarch are borne out by the account in Livy of the Macedonian campaign. Most important are the speeches delivered by Paullus in a *contio* immediately prior to his departure for the campaign,¹⁰⁰ and to the troops themselves on arriving in Macedonia.¹⁰¹ The former features the sentence quoted by MacKendrick in which Paullus criticizes commanders who are unwilling to take advice. Yet what MacKendrick does not note is that this is in the context of a long attack on armchair strategists and on the undermining of a general's authority by rumour and criticism from non-combatants back in Rome.¹⁰² In fact, the only people from whom Paullus is willing to take any advice are those with experience of warfare who are willing to enlist for the campaign.¹⁰³ Significantly, the example which he most fiercely deprecates is that of the campaign against the tactics of Fabius Maximus by his *magister equitum* M. Minucius, the disastrous consequences of which were all too familiar.¹⁰⁴ The degree to which Paullus is actually interested in advice from any members of his audience inspired to enlist may then be inferred from the speech delivered in Macedonia, which the historian explicitly invites the reader to link with the former, Livy 44. 34. 1-6:

haec cum ita fieri placere contione advocata pronuntiasset, adiecit urbanae contioni convenientem orationem: unum imperatorem in exercitu providere

⁹⁹ Plu. *Cat. Ma.* 3. 5.

¹⁰⁰ Liv. 44. 22. 1-15.

¹⁰¹ Liv. 44. 34. 1-6.

¹⁰² Liv. 44. 22. 6-15.

¹⁰³ Liv. 44. 22. 11-14.

¹⁰⁴ Liv. 44. 22. 10: 'neque enim omnes tam firmi et constantis animi contra adversum rumorem esse possunt, quam Q. Fabius fuit, qui suum imperium minui per vanitatem populi maluit quam secunda fama male rem publicam gerere.'

et consulere, quid agendum sit, debere nunc per se, nunc cum iis, quos advocaverit in consilium; qui non sint advocati, eos nec palam nec secreto iactare consilia sua. militem haec tria curare debere, corpus ut quam validissimum et pernicissimum habeat, arma apta, cibum paratum ad subita imperia; cetera scire de se dis immortalibus et imperatori suo curae esse. in quo exercitu milites consultant, imperator rumoribus vulgi circumagatur, ibi nihil salutare esse. se, quod sit officium imperatoris provisurum, ut bene gerendae rei occasionem iis praebeat; illos nihil, quid futurum sit, quaerere, ubi datum signum sit, tum militarem navare operam debere. ab his praeceptis contionem dimisit, volgo etiam veteranis fatentibus se illo primum die, tamquam tirones quid agendum esset in re militari, didicisse.

After he had announced to an assembly of the soldiers the decision to adopt these measures, the consul added a speech in the vein of his address in Rome: 'There should be a single general in an army who foresees and plans what should be done, sometimes by himself, sometimes with the advisers he calls into council. Those who are not called into council should not air their own views publicly or privately. A soldier should concern himself with the following: his body, to keep it as strong and nimble as possible; the good condition of his weapons; and the readiness of his food-supply for unexpected orders. For the rest, he should realize that the immortal gods and his general are taking care of him. In an army in which the soldiers deliberate and the general is led about by the gossip of the rank and file, conditions are utterly unsound. For my part, I shall do the duty of a general—that is, see to it that you have an opportunity for successful action. You ought not to ask what is going to happen, but when the signal is given, then do your duty as soldiers.' After these instructions, he dismissed the assembly, while throughout the army even the veterans admitted that they, like raw recruits, had for the first time learnt how military matters should be handled.

Now the general is interested only in his own views and in those of the men he has explicitly called to counsel. All those who are in the audience are invited merely to stick to their tasks, listen, and obey. Where Plutarch claims that Paullus regarded victory as an accessory to the education of his fellow-citizens, here Livy closes his account of the speech with the recognition on the part of the veterans that they have finally learned the art of war. The same mixture of *didaxis* and *diktat*, the same expectation that the general will teach and the subaltern learn, is apparent when finally Scipio Nasica ventures to offer an opinion only for Paullus to put him firmly in his place.¹⁰⁵

¹⁰⁵ Liv. 44. 36. 12–14: 'consul nihil offensus libera admonitione tam clari adolescentis "et ego" inquit "animum istum habui, Nasica, quem tu nunc habes, et, quem ego nunc habeo, tu habebis. multis belli casibus *didici*, quando pugnandum, quando abstinendum pugna sit.

To the troops of Republican Rome, it was a commonplace to describe a general whom they held in affection as a father. The account at Livy 2. 59–60 of the contrasting modes of generalship of the harsh Appius Claudius and the lenient Titus Quinctius may illustrate the typical dynamics of the relationship. After a long description of the severity of the former to his troops, Livy 2. 60. 1–3 describes the experience of Quinctius in the following terms:

contra ea in Aequis inter consulem ac milites *comitate ac beneficiis* certatum est. et natura Quinctius erat lenior, et saevitia infelix collegae quo is magis gauderet ingenio suo effecerat. huic tantae concordiae ducis exercitusque non ausi offerre se Aequi vagari populabundum hostem per agros passi; *nec ullo ante bello latius inde actae praedae. ea omnis militi data est.* addebantur et laudes, quibus haud minus quam praemio gaudent militum animi. cum duci, tum propter ducem patribus quoque placatior exercitus rediit, *sibi parentem, alteri exercitui dominum* datum ab senatu memorans.

To contrast with all this, in the Aequian campaign there subsisted between consul and soldiers an emulation of goodwill and kindness. Not only was it natural to Quinctius to be more gentle, but the unfortunate harshness of his colleague had given him the more reason to be content with his own disposition. Against this complete harmony between commander and army the Aequi ventured no opposition, but suffered their enemies to devastate their fields at will; and in fact no previous war had ever yielded a larger booty from that country. This was all given to the troops, and to the spoils were added encomia, which are no less efficacious than rewards in rejoicing a soldier's heart. Not only their leader, but for their leader's sake the Fathers, too, were looked upon with greater kindness by the army when they returned. They declared that to them the senate had given a parent, to the other army a master.

It will be noted that, as in the monologue of Micio, father and master figure as two opposed poles in the exercise of absolute power. To the soldiers, moreover, it is easy to recognize a father from his goodwill, liberal dispersal of booty, and praise. What emerges here is true of the military *pater* honorific in all but one case which I have found.¹⁰⁶ It also parallels perfectly all but the last instance in the *Adelphoe* where

non operae est stanti nunc in acie *docere*, quibus de causis hodie quiesce melius sit. rationes alias reposcito; nunc auctoritate veteris imperatoris contentus eris." conticuit adulescens: haud dubie videre aliqua impedimenta pugnae consulem, quae sibi non apparerent.' For the didactic tendencies of Paullus, see also Tandoi (1992a) 58–9.

¹⁰⁶ See Liv. 4. 42. 7–8; Plin. *nat.* 7. 143; Tac. *ann.* 2. 55. 5, 2. 80. 2, 3. 13. 2; Suet. *Cal.* 22. 1; Ogilvie (1965) at Liv. 2. 60. 3; Alföldi (1952) 208. Note esp. the Tacitean passages where the honorific *parens legionum* is associated with corrupting indulgence on the part of the general.

Aeschinus and Ctesipho address either Micio or Demea as *pater*. Yet, as we have seen, that final occasion on which Aeschinus calls Demea *pater* is crucial for its acknowledgement that there is more to fatherhood than simply the giving of indulgences. It will be important to recall this pattern as we turn our attention to what is perhaps the great crisis of Paullus' career.

The triumph celebrated by Paullus over the Macedonians in 167 BC is famous primarily for the cruel twist of fortune by which he lost the two sons of his second marriage a few days either side of the great event, and for the greatness of spirit with which the general bore this disaster.¹⁰⁷ Yet there is another aspect to the triumph which resulted directly from the stern discipline and authoritarian approach described above.¹⁰⁸ For Livy, Velleius, and Plutarch all record the hostility to Paullus of the troops and the subsequent organization of their resistance to the grant of a triumph by the military tribune Ser. Sulpicius Galba. Moreover, the grounds given for the bad blood suggest that Paullus behaved towards his army in a manner calculated to generate almost the opposite of the affection won by Quinticius, Livy 45. 35. 6:

antiqua disciplina milites habuerat; de praeda parcius, quam speraverant ex tantis regiis opibus, dederat nihil relicturis, si auiditati indulgeretur, quod in aerarium deferret.

He had held the soldiers to old-fashioned discipline; he had given them less of the booty than they had hoped for from such lavish royal resources, though had he given free rein to their greed, they would have left nothing to be deposited in the public treasury.¹⁰⁹

As the campaign against Paullus proceeds, Ser. Sulpicius Galba delivers much the same complaints both when privately soliciting support from the troops and in a four-hour oration before the tribunes.¹¹⁰ That this represented a genuine and profound crisis in the public

¹⁰⁷ Liv. 45. 40. 6–42. 1; Plu. *Aem.* 34. 7–37. 1; Val. Max. 5. 10. 2; Vell. 1. 10. 4–5.

¹⁰⁸ Henderson (1999) 49 evokes the triumph but makes no reference to the attendant contestation.

¹⁰⁹ Harris (1979) 102–3, esp. 102 nn. 3–4, cites the evidence for anticipation of booty as an incentive to ordinary Romans to enlist.

¹¹⁰ Cf. Liv. 45. 35. 9 for Ser. Sulpicius Galba's words to the troops: 'pecuniam illum dare non potuisse, militem honorem dare posse. ne speraret ibi fructum gratiae, ubi non meruisset'; 45. 36. 3–4: 'exacta acerbè munia militiae; plus laboris, plus periculi, quam desiderasset res, iniunctum; contra in praemiis, in honoribus omnia artata; militiamque, si talibus succedat ducibus, horridiorem asperioresque bellantibus, eandem victoribus inopem atque inhonoratam futuram. Macedonas in meliore fortuna quam milites Romanos esse.'

career of Paullus may be inferred from the fact that the first tribe called to vote actually opposed the granting of the triumph.¹¹¹ Only with the intervention of the leaders of the state was the situation put right.

Two figures are attested as speaking out in support of Paullus: M. Porcius Cato and M. Servilius Pulex Geminus. The speeches attributed to both contain elements of the greatest importance for this topic. In both Livy and Plutarch, the one recorded speech is that of M. Servilius, though the account in Livy is marred by a lacuna which breaks into the close of the oration and covers most of the account of the triumph.¹¹² As for Cato, Gellius quotes from a speech *ad milites contra Galbam* and this is now generally agreed to have been delivered during the debate over the triumph.¹¹³

Gellius presents only a paraphrase of one element in the speech of Cato, a historical anecdote deployed as an *exemplum*, and offers no statement of the argument which the story so effectively bolstered.¹¹⁴ The anecdote itself begins with the claim that it was the custom in the past for senators to enter the senate in company with those sons who were old enough to wear the *toga praetexta*. It then states that on one occasion a matter of some seriousness was raised and that it was decided to forbid any public statement of the issue before a final decision had been reached. The young Papirius, or perhaps Sulpicius, then comes under severe pressure from his mother to reveal the issue, but fends her off with a cunning deceit, claiming that the debate has been over whether it is better for one man to have two wives or for one wife to be shared between two husbands.¹¹⁵ When the distressed mother gathers together a band of *matronae* to beg for the latter option, the son is forced to confess his ruse to the senate. Praising the youth's loyalty and wit, the senate votes that henceforth no boys save this one should enter and grants him the *cognomen* Praetextatus.¹¹⁶

¹¹¹ Liv. 45. 36. 6-7; Plu. *Aem.* 31. 1.

¹¹² For the speech of M. Servilius Pulex Geminus, see Liv. 45. 36. 9-39. 20; Plu. *Aem.* 31. 4-32. 1.

¹¹³ Cato *ORF*³ fr. 172 = Gell. 1. 23. 1-13. For the attribution of the speech to this occasion, see Cichorius (1922) 91-6; Malcovati ad loc.; and Astin (1978) 118-19.

¹¹⁴ Gell. 1. 23. 1 refers only to the elegance of the story ('cum multa quidem venustate atque luce atque munditia verborum').

¹¹⁵ For arguments suggesting that Gellius misremembers the details of the boy's name and for the probability that he is actually a Sulpicius, see Cichorius (1922) 95 and Malcovati ad loc. Both names have an obvious pertinence to the 167 BC dispute: Papirius is the family 'nomen' of the first wife of Paullus, Sulpicius that of his opponent Ser. Sulpicius Galba.

¹¹⁶ Plb. 3. 20. 3-5 mocks Chaireas and Sosylus for retailing such stories with regard to the senatorial debate over the capture of Saguntum, and refers to their claim that the 12

Such then is the anecdote. If Cichorius is right to argue that the boy in the original anecdote was a Sulpicius, then it is clear that Cato belittles the leader of the dissent, Ser. Sulpicius Galba, by contrasting his current folly with the wisdom of his ancestor. To this I would add two observations. First, the story might appropriately be deployed in defence of what has emerged as a hallmark of the generalship of Paullus: profound hostility to the influence of armchair generals in Rome and explicit disregard while on campaign for the counsel of any other than those he himself has called to him. Second, it will be noted that what distinguishes the young hero of the tale is his total loyalty to the decisions both of his *pater* and of the *patres*.¹¹⁷ The very fact that the party whose questions the youth frustrates and who becomes the victim of his ruse is his mother only casts this into greater relief. It is all too appropriate a tale to deploy in vindication of the general as wise if severe father to his troops.

To Servilius, meanwhile, the very antique discipline and severity of command which the soldiers decry are things to be praised, and their success through the course of the campaign proof of the excellence of the generalship of Paullus.¹¹⁸ This refusal to placate the troops and adoption of a markedly confrontational conservatism is a signal element in the speech and most important in itself. Yet that part of the speech which most clearly touches our theme comes when Servilius suggests that the same protests against the general's alleged parsimony which so goad the troops will never have the same effect if delivered before the people. At this point, the speaker turns to an example already employed by Paullus in his *contio* prior to the campaign, the potential significance of which was noted above, Livy 45. 37. 11–12:

‘haec sicut ad militum animos stimulandos aliquem aculeum habent, qui parum licentiae, parum avaritiae suae inservitum censent, ita apud populum Romanum nihil valuissent, qui, ut vetera atque audita a parentibus suis non repetat, quae ambitione imperatorum clades acceptae sint, quae severitate imperii victoriae partae, proximo certe Punico bello, quid inter M. Minu-

year olds refused to disclose the content of their debates to their relatives. Walbank (1957) ad loc. notes the parallel with Gell. 1. 23 but assumes that Cato's anecdote stems from the Samnite Wars and the youth of L. Papirius Praetextatus, censor in 272 BC. He does not refer to the arguments of Cichorius for the reidentification of the boy as a Sulpicius.

¹¹⁷ See esp. Cato *ORF*³ fr. 172 = Gell. 1. 23. 5–6 where ‘*mater* Papirii pueri, qui cum *parente* suo in curia fuerat, percontata est filium, quidnam in senatu *patres* egissent. puer respondit tacendum esse neque id dici licere.’

¹¹⁸ Liv. 45. 37. 2: ‘*eadem severitas imperii*, quam nunc oderunt, tum eos continuit. itaque *antiqua disciplina* habiti neque dixerunt seditiose quicquam neque fecerunt.’

cium magistrum equitum et Q. Fabium Maximum dictatorem interfuerit, meminit.’

‘These statements, though they have a certain sting to provoke the temper of the soldiers, who think that Paullus has catered too little to their lack of discipline and their greed, would just as surely have had no power to move the Roman people; for even though the people should not recall the old stories which they heard from their fathers of disasters suffered because generals courted popularity, and of victories won by strictness of command, yet the people surely remember the late Punic War, and what a difference there was between Marcus Minucius the master of horse, and Quintus Fabius Maximus the dictator.’

To both Paullus and Servilius, therefore, the story of Fabius and Minucius has a special eloquence in any debates on military discipline. To those who remember it as well as the Roman people, the fact of its deployment precisely here may have its own story about the content, context, and interpretation of the *Adelphoe*.

The conflict between Fabius Maximus as dictator and M. Minucius as *magister equitum* is recorded in book 22 of Livy. Crisis arises when Minucius, frustrated at the delaying tactics of Fabius, spreads dissension against him at Rome and wins the right to equalize the *imperium* of their two offices.¹¹⁹ Yet the confidence of Minucius in his own generalship is misplaced and a rash engagement with Hannibal at Samnium only falls short of complete disaster thanks to the intervention of Fabius and his troops.¹²⁰ In a speech confessing that he and his men remain only in the second rank of those who obey good counsel, Minucius proposes that they continue to obey until such a time as they learn to command, and that they join their camps to those of Fabius. He will then address Fabius as father in recognition of his favour to him and his dignity, while his men shall call the troops who rescued them their patrons, Livy 22. 29. 9–11:

‘nobis quoniam prima animi ingeniique negata sors est, secundam ac mediam teneamus et, dum imperare discimus, parere prudenti in animum inducimus. castra cum Fabio iungamus. ad praetorium eius signa cum tulerimus, ubi ego eum parentem appellavero, quod beneficio eius erga nos ac maiestate eius dignum est, vos, milites, eos quorum vos modo arma dexterarum texerunt patronos salutabitis, et, si nihil aliud, gratorum certe nobis animorum gloriam dies hic dederit.’

¹¹⁹ Liv. 22. 24–7.

¹²⁰ Liv. 22. 28. 1–29. 6.

‘Since to us the first rank of intelligence and capacity has been denied, let us hold fast to the second or middle state, and while we are learning to command, make up our minds to obey a man of wisdom. Let us join our camp to that of Fabius; and when we have brought our standards to his tent, and I have given him the name of “Father”—as befits his goodness to us and his great position—you, soldiers, will salute as “patrons” those whose right hands and swords just now protected you; and if nothing else, this day shall at least have conferred on us the glory of possessing thankful hearts.’

Perhaps the most intriguing aspect of this episode is the construction which it places on paternity. The first thing to note, therefore, is that this general in no sense earns the title of ‘Father’ through any corrupting generosity. Another familiar context might, however, have more to offer. For it is well known that the recipient of the *corona civica*, given to soldiers who had saved a fellow-citizen in the line of battle, could expect the man rescued to treat him as his father for the rest of his life.¹²¹ This then is the obvious sense in which the army of Minucius might think of Fabius as a father and his soldiers as patrons.¹²² Nor is such a perspective absent from other accounts of the episode.¹²³ Yet what the Livian Minucius actually stresses is something different again, namely his and his army’s unreadiness to make appropriate decisions for themselves and their need for another to guide them; the same version is also prominent in Silius and even more so in Plutarch’s *Life of Fabius*.¹²⁴ Where the *corona civica* can be won by any individual Roman soldier, the acquiescence to established authority which Minucius enacts is an honour available to the general alone.

The issue therefore is the commander as father and the special importance of the story of Fabius and Minucius is that it is the one recorded instance where a general wins the title of ‘Father’, not by the

¹²¹ Plb. 6. 39. 6–7; Cic. *Planc.* 72; Plin. *nat.* 16. 14. Interesting remarks in Raccanelli (2002) 47–9.

¹²² The term *patronus* suggests that the patron is a form of substitute *pater* to the client. See Plaut. *Capt.* 444, *Rud.* 1266, cf. Ter. *Ad.* 456 for the same figure called *pater* and *patronus* in the same breath. Good comments throughout Raccanelli (2002) on this issue.

¹²³ Plin. *nat.* 22. 10; Sil. 7. 732–45.

¹²⁴ Sil. 7. 739–40 also suggests that Fabius is a father in that he can guide those not yet ready to guide themselves. Plu. *Fab.* 13. 2 διδάγμασι, cf. 13. 3 ἡμέρας μέρει μικρῶι πεπαίδευμαι, γνοὺς ἐμαντὸν οὐκ ἄρχειν ἐτέρων δυνάμενον, ἀλλ’ ἄρχοντος ἐτέρου δεόμενον, 13. 7 πεπαίδευκας has Minucius put great stress on the salutary lesson given him by Fabius and on his recognition of the latter’s paternal authority, while 13. 8 returns to the equation of saviour with begetter. Plu. *Fab.* 27. 3 has the Roman people honour Fabius at his burial as if he were their father. The significance of the honorific *pater* is unclear at Val. Max. 5. 2. 4, or on the monument to Fabius at *CIL* i p. 193 which includes the claim that DICTATOR ... AB EXERCITU MINUCIANO PATER APPELLATUS EST.

distribution of booty and the demagogic courting of his troops, but rather by so demonstrating the superior wisdom of unwelcome rigour and strict command that the once rebellious army are forced to confess the error of their ways. It is precisely this vindication which Demea achieves in the final scene of the *Adelphoe* and which was identified as being the root cause of the failure of the historicist approach. In the debate over the triumph of Paullus and in the vindication of his right to that honour, it is possible that history supplies a model peculiarly in tune with the spirit of the play.

Conclusion

The starting point of this investigation was the sense that the historicist approach to the *Adelphoe*, for all that it was richly and excitingly suggestive, had never recovered from the perception of a hopeless discontinuity between context and content. In principle, just such discontinuity is itself stimulating because it can only complicate our sense of context and remind us that there is no historical context for the play of which the play itself is not a part. If the funeral games of L. Aemilius Paullus feature a comedy in which a figure peculiarly reminiscent of Paullus is worsted, that should make us rethink our assumptions about funeral games and the nature of the honour they bestow. Likewise, aspects of the behaviour of Aeneas which darken the typological connection between him and Augustus should not be dismissed as impossible because of the commissioned nature of the poem. Rather, they should make us reconsider our assumptions about the dynamics of patronage in the Augustan age.

In the case of the *Adelphoe*, however, the creation of two opposed father-figures immediately raises the issue of which of the two wears the mask of Paullus. If the translinguistic pun in the name Micio immediately suggests that identification, the fact that it is Demea who gives a son up for adoption and Micio who adopts must pull in the opposite direction. The importance of this paradox becomes all the more obvious when detailed re-examination of the historical figure of Paulus reveals aspects to his personality which invalidate the concept of a profound opposition to Cato and Catonianism, and, by extension, uncover unsuspected affinities with Demea.

The true eloquence of this identification finally emerges when the reader is ready to acknowledge that fatherhood is only part of a wider

system of authority. A play performed at the funeral of a great general which invokes generalship as an analogy for paternity effectively invites the further reflection that paternity may itself be invoked as an analogy for generalship. Inasmuch as what is fundamentally at issue here is the experience and the habit of command, it should be no surprise that the identification of military service with slavery should have been a further persistent undercurrent in this argument.¹²⁵ And the same men who treated their soldiers like slaves were no less wont to treat their slaves like soldiers.¹²⁶

That the equation of the general with a father is part of the common parlance of Roman soldiers in the Republican period seems clear. That the issue of what makes a general a father became an issue of fierce contestation in the course of the Macedonian campaign, and particularly in the subsequent debate over the triumph of Paullus, I have attempted to demonstrate on the strength of the material assembled. If it is objected that recurrent reference to the example of Fabius and Minucius in Livy's account of Paullus as general cannot be attested as evidence for what people were saying or thinking in 167 or 160 BC, I can only suggest that there is a difference between asserting that something of the sort was found in the sources on which Livy drew and asking ourselves what it was in those sources which made the historian regard the *exemplum* as so pertinent to the case.

The debate of 167 BC indisputably constituted one of the great crises of the career of L. Aemilius Paullus Macedonicus. Imagine only what might have been had the conqueror of Perseus, the victor of Pydna, come home to discover that the Roman state was resolved to shun his achievement and sully his fame. The fact that this risk was avoided combines with the subsequent private trauma of the loss of the sons of his second marriage to distract attention from what went before and what might have been, but the very fact of what nearly happened cannot lose its sting.

For too long now critics of Terence have turned their backs on his-

¹²⁵ See esp. p. 178 n. 89.

¹²⁶ Cato *agr.* 5. 2, 'familiae male ne sit, ne algeat, ne esuriant; opere bene exerceat, facilius malo et alieno prohibebit . . . familiam exerceat, consideret, quae dominus imperaverit fiant', cf. *ad fil.* fr. 7 J = Non. p. 208 L 'illi imperator tu, ille ceteris mediastinus'; Colum. 1. 1. 18-19, esp. 'ut in exercitu cum abest imperator', cf. 12. 2. 5-6. For daily exercise as the key to servile as well as military discipline, see Colum. 11. 1. 25, cf. Frontin. *strat.* 4. 1. 1; Veg. *mil.* 2. 23. 1-2. The overlap between different forms of subordination in Roman society and the possible friction attendant on the equation of the one with the other presents a potentially important area of research.

tory. They have done so largely on account of problems raised by what they persistently describe as the triumph of Demea. It is my contention that this is one dead metaphor that richly deserves to be revived.

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